PRESCOTT'S WORKS

STUDENT'S EDITION

Central BAPTIST
THEOLOGICAL SEMINARY

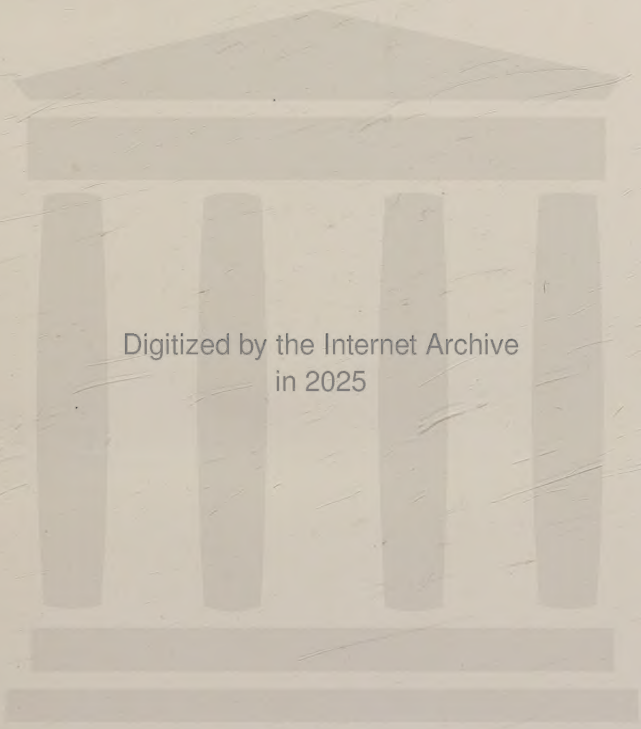
KANSAS CITY, KANSAS

LH32
R54

HISTORY OF THE REIGN

OF THE

EMPEROR CHARLES THE FIFTH.


Digitized by the Internet Archive
in 2025

https://archive.org/details/historyofreignof0000will_s6a9

CHARLES THE FIFTH.

THE

HISTORY OF THE REIGN

OF THE

EMPEROR

CHARLES THE FIFTH.

BY

WILLIAM ROBERTSON D.D.

WITH

AN ACCOUNT OF THE EMPEROR'S LIFE AFTER HIS ABDICATION

BY

WILLIAM H. PRESCOTT

NEW EDITION

PHILADELPHIA:
J. B. LIPPINCOTT COMPANY.
1891.

LIBRARY
KANSAS CITY 2, KANSAS

Copyright, 1856,
By William H. Prescott.

Copyright, 1874,
By J. B. Lippincott & Co.

Copyright, 1884,
By William G. Prescott.

943.031
R652

ADVERTISEMENT.

THE life of Charles the Fifth subsequently to his abdication is disposed of by Dr. Robertson in some six or seven pages. It did not, in truth, come strictly within the author's plan, which proposed only a history of the reign of the emperor. But, unfortunately, these few pages contain many inaccuracies, and, among others, a very erroneous view of the interest which Charles, in his retirement, took in the concerns of the government. Yet it would be unjust to impute these inaccuracies to want of care in the historian, since he had no access to such authentic sources of information as would have enabled him to correct them. Such information was to be derived from documents in the archives of Simancas, consisting, among other things, of the original correpondence of the emperor and his household, and showing conclusively that the monarch, instead of remaining dead to the world in his retreat, took not merely an interest, but a decided part, in the management of affairs. But in Robertson's day Simancas was closed against the native as well as the foreigner; and it is not until within a few years that the scholar has been permitted to enter its dusty recesses and draw thence materials to illustrate the national history. It is particularly rich in materials for the illustration of Charles the Fifth's life after his abdication. Availing themselves of the opportunities thus afforded, several eminent writers, both in England and on the Continent, have bestowed much pains in investigating a passage of history hitherto so little understood. The results of their labours they have given to the world in a series of elaborate works, which, however varying in details, all exhibit Charles's character and conduct in his retirement in a very different point of view from that in which it has been usual to regard them. It was the knowledge of this fact which led the publishers of the present edition of Robertson's "Charles the Fifth" to request me to prepare such an account of his monastic life as might place before the reader the results of the recent researches in Simancas, and that in a more concise form—as better suited to the purpose for which it was designed—than had been adopted by preceding writers. I was the more willing to undertake the task, that my previous studies had made me familiar with the subject, and that I was possessed of a large body of authentic documents relating to it, copied from the originals in Simancas. These documents, indeed, form the basis of a chapter on the monastic life of Charles at the close of the first Book of the History of Philip the Second,—written, I may add, in the summer of 1851, more than a year previous to the publication of Mr. Stirling's admirable work, which led the way in the series of brilliant productions relating to the cloister life of Charles.

In complying with the request of the publishers, I have made the authentic records which I had received from Simancas the foundation of my narrative, —freely availing myself, at the same time, of the labours of my predecessors,

N14764

especially those of Mr. Stirling and M. Mignet, wherever they have thrown light on the path from sources not within my reach.

In the performance of the task I have been insensibly led into a much greater length than I had originally intended, or than, I fear, will be altogether palatable to those who have become already familiar with the narrative in the writings of those who have preceded me. To such readers I cannot, indeed, flatter myself that I have given any information of importance beyond what they may have acquired from these more extended and elaborate works. But by far the larger part of readers in our community have probably had no access to these works; and I may express the hope that I have executed the task in such a manner as to satisfy any curiosity which, after perusing the narrative of the illustrious Scottish historian, they may naturally feel respecting the closing scenes in the life of the great emperor.

WILLIAM H. PRESCOTT.

BOSTON, *November* 10, 1856.

TO

THE KING.

SIR,

I presume to lay before your Majesty the history of a period which, if the abilities of the writer were equal to the dignity of the subject, would not be unworthy the attention of a monarch who is no less a judge than a patron of literary merit.

History claims it as her prerogative to offer instruction to kings, as well as to their people. What reflections the reign of the Emperor Charles the Fifth may suggest to your Majesty, it becomes not me to conjecture. But your subjects cannot observe the various calamities which that monarch's ambition to be distinguished as a conqueror brought upon his dominions, without recollecting the felicity of their own times, and looking up with gratitude to their sovereign, who, during the fervour of youth, and amidst the career of victory, possessed such self-command, and maturity of judgment, as to set bounds to his own triumphs, and prefer the blessings of peace to the splendour of military glory.

Posterity will not only celebrate the wisdom of your Majesty's choice, but will enumerate the many virtues which render your reign conspicuous for a sacred regard to all the duties incumbent on the sovereign of a free people.

It is our happiness to feel the influence of these virtues, and to live under the dominion of a prince who delights more in promoting the public welfare than in receiving the just praise of his royal beneficence.

I am, Sir,
Your Majesty's most faithful subject,
And dutiful servant,

WILLIAM ROBERTSON.

PREFACE.

No period in the history of one's own country can be considered as altogether uninteresting. Such transactions as tend to illustrate the progress of its constitution, laws, or manners merit the utmost attention. Even remote and minute events are objects of a curiosity, which being natural to the human mind, the gratification of it is attended with pleasure.

But with respect to the history of foreign states, we must set other bounds to our desire of information. The universal progress of science during the last two centuries, the art of printing, and other obvious causes, have filled Europe with such a multiplicity of histories, and with such vast collections of historical materials, that the term of human life is too short for the study or even the perusal of them. It is necessary, then, not only for those who are called to conduct the affairs of nations, but for such as inquire and reason concerning them, to remain satisfied with a general knowledge of distant events, and to confine their study of history in detail chiefly to that period in which, the several states of Europe having become intimately connected, the operations of one power are so felt by all as to influence their councils and to regulate their measures.

Some boundary, then, ought to be fixed, in order to separate these periods. An era should be pointed out, prior to which each country, little connected with those around it, may trace its own history apart; after which, the transactions of every considerable nation in Europe become interesting and instructive to all. With this intention I undertook to write the History of the Emperor Charles the Fifth. It was during his administration that the powers of Europe were formed into one great political system, in which each took a station, wherein it has since remained with less variation than could have been expected after the shocks occasioned by so many internal revolutions and so many foreign wars. The great events which happened then have not hitherto spent their force. The political principles and maxims then established still continue to operate. The ideas concerning the balance of power then introduced, or rendered general, still influence the councils of nations.

The age of Charles the Fifth may therefore be considered as the period at which the political state of Europe began to assume a new form. I have endeavoured to render my account of it an introduction to the history of Europe subsequent to his reign. While his numerous biographers describe his personal qualities and actions, while the historians of different countries relate occurrences the consequences of which were local or transient, it hath been my purpose to record only those great transactions in his reign, the effects of which were universal or continue to be permanent.

As my readers could derive little instruction from such a history of the reign of Charles the Fifth without some information concerning the state of Europe previous to the sixteenth century, my desire of supplying this has

produced a preliminary volume,* in which I have attempted to point out and to explain the great causes and events to whose operation all the improvements in the political state of Europe, from the subversion of the Roman empire to the beginning of the sixteenth century, must be ascribed. I have exhibited a view of the progress of society in Europe, not only with respect to interior government, laws, and manners, but with respect to the command of the national force requisite in foreign operations; and I have described the political constitution of the principal states in Europe at the time when Charles the Fifth began his reign.

In this part of my work I have been led into several critical disquisitions, which belong more properly to the province of the lawyer or antiquary than to that of the historian. These I have placed at the end of the first volume, under the title of Proofs and Illustrations.* Many of my readers will, probably, give little attention to such researches. To some, they may perhaps appear the most curious and interesting part of the work. I have carefully pointed out the sources from which I have derived information, and have cited the writers on whose authority I rely with a minute exactness, which might appear to border upon ostentation, if it were possible to be vain of having read books, many of which nothing but the duty of examining with accuracy whatever I laid before the public could have induced me to open. As my inquiries conducted me often into paths which were obscure or little frequented, such constant references to the authors who have been my guides were not only necessary for authenticating the facts which are the foundations of my reasonings, but may be useful in pointing out the way to such as shall hereafter hold the same course, and in enabling them to carry on their researches with greater facility and success.

Every intelligent reader will observe one omission in my work, the reason of which it is necessary to explain. I have given no account of the conquests of Mexico and Peru, or of the establishment of the Spanish colonies in the continent and islands of America. The history of these events I originally intended to have related at considerable length. But upon a nearer and more attentive consideration of this part of my plan, I found that the discovery of the New World, the state of society among its ancient inhabitants, their character, manners, and arts, the genius of the European settlements in its various provinces, together with the influence of these upon the systems of policy or commerce in Europe, were subjects so splendid and important that a superficial view of them could afford little satisfaction; and, on the other hand, to treat of them as extensively as they merited must produce an episode disproportionate to the principal work. I have therefore reserved these for a separate history; which, if the performance now offered to the public shall receive its approbation, I purpose to undertake.

Though, by omitting such considerable but detached articles in the reign of Charles the Fifth, I have circumscribed my narration within more narrow limits, I am yet persuaded, from this view of the intention and nature of the work which I thought it necessary to lay before my readers, that the plan must still appear to them too extensive, and the undertaking too arduous. I have often felt them to be so. But my conviction of the utility of such a history prompted me to persevere. With what success I have executed it, the public must now judge. I wait, not without solicitude, for its decision, to which I shall submit with a respectful silence.

* These passages in the text refer to the original edition: the additional matter incorporated in the present edition has required a somewhat different arrangement.

CONTENTS.

A VIEW OF THE PROGRESS OF SOCIETY IN EUROPE.

SECTION I.

VIEW OF THE PROGRESS OF SOCIETY IN EUROPE WITH RESPECT TO INTERIOR GOVERNMENT, LAWS, AND MANNERS.

The Effects of the Roman Power on the State of Europe—The Irruption of the Barbarous Nations—Their Settlements in the Countries they had conquered—Decay of the Roman Empire—Desolation occasioned by the Barbarians—Origin of the present Political System of Europe—The Feudal System—Its Effects upon the Arts, Literature, and Religion—The Crusades, and their Effects upon Society—Growth of Municipal Institutions—Emancipation of the Peasantry—Beginning of a regular Administration of Justice—Trial by Combat—Appeals—Ecclesiastical Courts—Discovery of the Code of Justinian—Chivalry—Revival of Learning—Influence of Commerce—Italians the first Merchants and Bankers—Rise of Trade and Manufactures among the Cities of the Hanseatic League,—in the Netherlands,—in England ... ... pp. 1–40

SECTION II.

VIEW OF THE PROGRESS OF SOCIETY IN EUROPE WITH RESPECT TO THE COMMAND OF THE NATIONAL FORCE REQUISITE IN FOREIGN OPERATIONS.

Improved State of Society at the Beginning of the Fifteenth Century—The Concentration of Resources in European States—The Power of Monarchs; their Revenues and Armies—Affairs of Different States at first entirely distinct—Progress of Combination—Loss of Continental Territory by the English—Effects upon the French Monarchy—Growth of Standing Armies, and of the Royal Prerogative under Louis XI.—His Example imitated in England and in Spain—The Heiress of Burgundy—Perfidious Conduct of Louis XI. towards her—Her Marriage with Maximilian, Archduke of Austria—Invasion of Italy by Charles VIII.—The Balance of Power—Use of Infantry in Armies—League of Cambray against Venice 40–57

SECTION III.

VIEW OF THE POLITICAL CONSTITUTION OF THE PRINCIPAL STATES II EUROPE AT THE COMMENCEMENT OF THE SIXTEENTH CENTURY.

Italy at the Beginning of the Sixteenth Century—The Papal Power—Alexander VI. and Julius II.—Defects in Ecclesiastical Governments—Venice; its Rise and Progress; its Naval Power and its Commerce—Florence—Naples and Sicily—Contest for its Crown—Duchy of Milan—Ludovico Sforza—Spain; conquered by the Vandals and by the Moors; gradually re-conquered by the Christians—Marriage of Ferdinand and Isabella—The Royal Prerogative—Constitution of Aragon and of Castile—Internal Disorders—"The Holy Brotherhood"—France; its Constitution and Government—The Power of its Early Kings—Government becomes purely Monarchical, though restrained by the Nobles and the Parliaments—The German Empire—Power of the Nobles and of the Clergy—Contests between

the Popes and the Emperors—Decline of Imperial Authority—Total Change of Government—Maximilian—The real Power and Revenues of the Emperors, contrasted with their Pretensions—Complication of Difficulties—Origin of the Turkish Empire; its Character—The Janizaries—Solyman 57–89

PROOFS AND ILLUSTRATIONS 90–152

HISTORY OF CHARLES V.

BOOK I.

Birth of Charles V.—His Hereditary Dominions—Philip and Joanna, his Parents—Birth of Ferdinand, his Brother—Death of Isabella—Philip's Attempts to obtain the Government of Castile—The Regent Ferdinand marries a Niece of the French King to exclude Philip and his Daughter—The Castilian Nobility declare for Philip—Philip and Joanna proclaimed—Death of Philip Incapacity of Joanna—Ferdinand made Regent—His Acquisition of Territory—His Death—Education of Charles V.—Cardinals Ximenes and Adrian—Charles acknowledged King—Ximenes strengthens the Royal Power; is opposed by the Nobles—War in Navarre and in Africa—Peace with France—Charles visits Spain—His Ingratitude towards Ximenes—Death of the Latter—Discontent of the Castilians—Corruption of the King's Flemish Favourites—Reception of Charles in Aragon—Death of the Emperor Maximilian—Charles and Francis I. Competitors for the Empire—Views of the other Reigning Potentates—Assembly of the Electors—The Crown offered to Frederic of Saxony—He declines in Favour of Charles, who is chosen—Discontent of the Spaniards—Insurrection in Valencia—The Cortes of Castile summoned to meet in Galicia—Charles appoints Regents, and embarks for the Low Countries 153–186

BOOK II.

Rivalry between Charles and Francis I. for the Empire—They negotiate with the Pope, the Venetians, and Henry VIII. of England—Character of the latter—Cardinal Wolsey—Charles visits England—Meeting between Henry VIII. and Francis I.—Coronation of Charles—Solyman the Magnificent—The Diet convoked at Worms—The Reformation—Sale of Indulgences by Leo X.—Tetzel—Luther—Progress of his Opinions—Is summoned to Rome—His Appearance before the Legate—He appeals to a General Council—Luther questions the Papal Authority—Reformation in Switzerland—Excommunication of Luther—Reformation in Germany—Causes of the Progress of the Reformation—The Corruption in the Roman Church—Power and Ill-Conduct of the Clergy—Venality of the Roman Court—Effects of the Invention of Printing—Erasmus—The Diet at Worms—Edict against Luther—He is seized and confined at Wartburg—His Doctrines condemned by the University of Paris, and controverted by Henry VIII. of England—Henry VIII. favours the Emperor Charles against Francis I.—Leo X. makes a Treaty with Charles—Death of Chièvres—Hostilities in Navarre and in the Low Countries—Siege of Mézières—Congress at Calais—League against France—Hostilities in Italy—Death of Leo X.—Defeat of the French—Henry VIII. declares War against France—Charles visits England—Conquest of Rhodes by Solyman 187–223

BOOK III.

Insurrections—Attempts of the Regent, Adrian, to suppress them—Confederacy in Castile against him—Measures taken by the Emperor—Remonstrance of the Junta—They take up Arms—Their Negotiations with the Nobles—The Junta under Padilla defeated in Battle—Defence of Toledo by his Widow—The War in Valencia and in Majorca—Generosity of the Emperor—Reception of Adrian at Rome—His Pacific Policy—A New League against France—Treachery of the Duke of Bourbon—Francis attacks Milan—Death of Adrian, and Election of Clement VII.—Disappointment of Wolsey—Progress of the War with France—Pope Clement unable to bring about Peace—The French abandon the Milanese—Death of Bayard—The Reformation in Germany—Luther translates the Bible—The Diet at Nuremberg proposes a General Council—The Diet presents a List of Grievances to the Pope—Opinion at Rome concerning the Policy of Adrian—Clement's Measures against Luther 229–256

BOOK IV.

Views of the Italian States respecting Charles and Francis—Charles invades France without Success—Francis invades the Milanese—He besieges Pavia—Neutrality of the Pope—Francis attacks Naples—Movements of the Imperial Generals—Battle of Pavia—Francis taken Prisoner—Schemes of the Emperor—Prudence of Louise the Regent—Conduct of Henry VIII. and of the Italian Powers—The Emperor's rigorous Terms to Francis—Francis carried to Spain—Henry makes a Treaty with the Regent Louise—Intrigues of Morone in Milan—He is betrayed by Pescara—Treatment of Francis—Bourbon made General and Duke of Milan—Treaty of Madrid—Liberation of Francis—Charles marries Isabella of Portugal—Affairs in Germany—Insurrections—Conduct of Luther—Prussia wrested from the Teutonic Knights—Measures of Francis upon reaching his Kingdom—A League against the Emperor—Preparations for War—The Colonnas Masters of Rome—The Pope detached from the Holy League—Position of the Emperor—Bourbon marches towards the Pope's Territories—Negotiations—Assault of Rome—Bourbon slain—The City taken and plundered—The Pope a Prisoner—Hypocrisy of the Emperor—Solyman invades Hungary—Ferdinand, Archduke of Austria, becomes King of Hungary—Progress of the Reformation 257–292

BOOK V.

General Indignation and Confederacy against the Emperor—The Florentines—The French Army in Italy—The Emperor sets the Pope at Liberty, and makes Pacific Overtures—A Royal Challenge—Retreat of the Imperial Army from Rome—The French besiege Naples—Revolt of Andrew Doria—Freedom of Genoa—Operations in the Milanese—Treaty between the Pope and the Emperor, and between Charles and Francis—Henry VIII. seeks a Divorce from his Queen, Catharine of Aragon—Charles visits Italy and re-establishes the Power of the Medici—Returns to Germany—The Diet of Spires—The Protest—The Diet of Augsburg—Decree against the Protestants—Charles makes his Brother Ferdinand King of the Romans—Negotiations of the Protestants—The Campaign in Hungary—Conference between the Emperor and the Pope—Movements of the French King—Henry divorced from Queen Catharine by the Archbishop, and excommunicated by the Pope—Papal Authority abolished in England—Death of Clement VII.—Pope Paul III.—Insurrection of the Anabaptists in Germany—They become Masters of Munster—John of Leyden crowned King—Confederacy against him—Munster besieged and taken—The League of Smalkalde—Expedition of the Emperor to Africa—The Barbary States—The Barbarossas—Conquest of Tunis—The Emperor besieges Goletta, defeats Barbarossa, and restores the King of Tunis 293–332

BOOK VI.

A new War between the Emperor and Francis—Francis negotiates unsuccessfully with the German Protestants—Takes Possession of Savoy—Geneva recovers its Liberty—Francis makes a new Claim to the Duchy of Milan—Charles prepares for War—He challenges Francis—He recovers a part of Savoy—He enters Provence—He is defeated by the cautious Policy of Montmorency—Operations in Picardy—Death of the Dauphin imputed to Poison—Decree of the Parliament of Paris—Hostilities in the Low Countries, and in Piedmont—Alliance between Francis and Solyman—Truce concluded at Nice—Interview between Charles and Francis—Assassination of Alexander de' Medici—His Successor, Cosmo, supported by the Emperor—Renewed Coolness between Charles and Francis—The Emperor courts Henry VIII.—Negotiations for a General Council—The Reformation in Saxony—State of the Emperor's Finances—Complaints of his Spanish Subjects—The Cortes subverted—Insurrection at Ghent—Francis refuses Aid to the Rebels—Charles passes through France—His Vengeance upon Ghent—He refuses to keep his Promise to Francis concerning Milan—Loyola, Founder of the Jesuits—Constitution and Policy of this Order—Its Power, Wealth, and Influence—Conference between Roman and Protestant Divines at Ratisbon—Death of King John of Hungary—Solyman seizes the Kingdom—The Emperor's Expedition against Algiers 333–378

BOOK VII.

Renewal of Hostilities by Francis—Operations of his Forces—The Emperor's Negotiations with Henry VIII.—Henry's Rupture with France and Scotland—Francis's Negotiations with Solyman—The Campaign in the Low Countries—Solyman invades Hungary—Barbarossa's Descent upon Italy—Maurice of Saxony—The Pope calls a Council at Trent, but is obliged

to prorogue it—Diet at Spires—Concessions to the Protestants by the Emperor—His Negotiations with Denmark and England—Battle of Cerisoles—Siege of St. Disier—Peace concluded at Crespy—War between France and England continued—Diet at Worms—The Protestants suspect the Emperor—Death of the Duke of Orleans—The Pope grants the Duchies of Parma and Placentia to his Son—The Council of Trent—The Protestants and the Emperor 379–407

BOOK VIII.

Death of Luther—Hostility of the Emperor towards the Protestants—His Alliances—Diet at Ratisbon—The Emperor's Treaty with the Pope—The Protestants prepare for Defence and seek for Aid—They lose by Inaction—Their first Operations—The Emperor declines Battle—Maurice of Saxony, his Treachery—Separation of the Confederate Army—Rigorous Conduct of the Emperor to those who yielded—Contest between Maurice of Saxony and the Elector—The Pope recalls his Troops—Conspiracy in Genoa—Fiesco, Count of Lavagna 408–436

BOOK IX.

Francis, jealous of the Emperor, endeavours to form Alliances against him—Death of Francis—The Emperor marches against the Elector of Saxony—Battle of Mulhausen—The Elector taken Prisoner—Charles invests Wittemberg—His ungenerous Treatment of the Elector—Maurice put in Possession of the Electoral Dominions—The Emperor treacherously detains the Landgrave as a Prisoner—His Rigour towards his German Subjects—Ferdinand's Tyranny in Bohemia—Diet at Augsburg—The Council translated from Trent to Bologna—Assassination of the Pope's Son—The Pope's Dread of the Emperor—Contest as to the Place of Session of the Council—Compliance with "The Interim" enforced by the Emperor—The Pope dismisses the Council assembled at Bologna—The Emperor receives his Son Philip in the Low Countries 437–463

BOOK X.

The Pope's Schemes against the Emperor—Election of Pope Julius III.—Diet at Augsburg—Schemes of Maurice of Saxony against the Emperor—War upon Magdeburg—Council summoned at Trent—Attempt to obtain the Liberation of the Landgrave—Plan of Charles for procuring the Imperial Crown for his Son, Philip—The Pope and Emperor attempt to recover Parma and Placentia—Octavio makes an Alliance with Henry II. of France—Hostilities between Charles and Henry—Henry protests against the Council—Violence of the Emperor against the Protestants—Siege of Magdeburg by Maurice—Martinuzzi favours the Pretensions of Ferdinand to Hungary—He is assassinated by Order of Ferdinand—Maurice makes a Treaty with Henry II.—He demands once more the Liberty of the Landgrave—He amuses the Emperor, and meanwhile makes Preparation for War—He takes the Field—The Emperor endeavours to gain Time by Negotiation—Maurice takes the Castle of Ehrenberg—The Emperor flies from Inspruck—He liberates the Elector of Saxony—The Council of Trent breaks up—The French attack Strasburg—The Operations of Albert of Brandenburg—Negotiations for Peace at Passau at last successful 464–498

BOOK XI.

Maurice marches against the Turks—The Landgrave and the Elector recover their Liberty—The Emperor makes War upon France—The Siege of Metz—Losses of the Emperor in Italy—Descent of the Turks upon the Kingdom of Naples—Confederacy under the Lead of Maurice against Albert of Brandenburg—Maurice is slain in Battle, but Albert is defeated, and afterwards driven out of Germany—Success of the Emperor in the Netherlands—His Losses in Hungary and Italy—The Family Troubles of Solyman—The Ambition of his Mistress Roxalana, and the Fate of his Son Mustapha—Marriage of Philip with Mary of England—Efforts of Mary to overthrow Protestantism—Henry conducts a vigorous Campaign against the Emperor—Cosmo de' Medici's Schemes—The French under Strozzi defeated—Siege of Siena—Retreat of the Duke of Alva from Piedmont—Conspiracy to betray Metz discovered—Diet at Augsburg—Death of Pope Julius—Charles endeavours anew to acquire the Imperial Crown for his Son, Philip—The Peace of Religion established—Pope Marcellus II.—Pope Paul IV., and the ambitious Schemes of his Nephews—The Emperor abdicates in favour of his Son Philip—Peace between France and Spain—The Pope attempts to rekindle War—The Duke of Alva takes the Field against him—A Truce between the Pope and Philip 499–546

BOOK XII.

New and fruitless Attempt of the Emperor to procure the Succession for his Son, Philip—He sets out for Spain—His Retreat at St. Justus—The Pope renews Hostilities against Philip—Duke of Guise's Operations—Philip gains the Aid of England—The War in the Netherlands—Siege of St. Quentin—Measures of Henry for the Defence of France—Peace between the Pope and Philip—Placentia restored to the Duke of Parma—Cosmo de' Medici recovers Siena—The Duke of Guise invests and takes Calais—Ferdinand chosen Successor to the Emperor, but is not acknowledged by the Pope—Marriage of the Dauphin and the Queen of Scots—Defeat of the French at Gravelines—Proposals for Peace—Death of Charles V.—Death of Mary of England—Both Henry and Philip court her Successor, Elizabeth—Her Artifice towards Philip—Articles of Peace agreed upon—Death of Henry—State of Europe during the Reign of Charles V.—Progress of the House of Austria—Growth of France, and of England—The Reformation—State of Venice and other Italian Nations;—of Russia, and the Northern Powers 547–586

LIFE OF CHARLES V. AFTER HIS ABDICATION.

BOOK I.

The Convent of Yuste—Charles's Departure from the Netherlands—His Voyage to Spain—His Progress through the Country—Reception at Valladolid—Journey to Jarandilla—His Residence there—Discontent of his Household—His Visitors—Pernicious Indulgence of his Appetite—His Removal to Yuste... 591–609

BOOK II.

Charles's Mansion at Yuste—Furniture and Works of Art—Van Male—Charles's Household and Expenditure—His Way of Life—His Confessor—His Mechanical Pursuits—His Observance of Religious Rites—His Contentment at Yuste 610–625

BOOK III.

Erroneous Opinions respecting Charles—His Interest in Public Affairs—Luis de Avila—Petty Annoyances—Visit of Francisco Borja—Charles's Memoirs of Himself—Visit of his Sisters to Yuste—Death of Queen Eleanor—Charles's Resignation of the Imperial Title—His Zeal for the Faith 626–643

BOOK IV.

Charles's Ill Health—He rehearses his Obsequies—Is attacked by his last Illness.—Codicil to his Will—Progress of the Disease—Extreme Unction—Last Hours, and Death—Funeral Honours—Philip the Second's Visit to Yuste—Bodies of Charles and his Family removed to the Escorial—Decay of the Convent at Yuste 644–660

INDEX ... ... 661–692.

A VIEW

OF THE

PROGRESS OF SOCIETY IN EUROPE,

FROM THE

SUBVERSION OF THE ROMAN EMPIRE TO THE BEGINNING OF THE SIXTEENTH CENTURY.

A VIEW

OF THE

PROGRESS OF SOCIETY IN EUROPE,

FROM THE

SUBVERSION OF THE ROMAN EMPIRE TO THE BEGINNING OF THE SIXTEENTH CENTURY.

SECTION I.

VIEW OF THE PROGRESS OF SOCIETY IN EUROPE WITH RESPECT TO INTERIOR GOVERNMENT, LAWS, AND MANNERS.

The Effects of the Roman Power on the State of Europe—The Irruption of the Barbarous Nations—Their Settlements in the Countries they had conquered—Decay of the Roman Empire—Desolation occasioned by the Barbarians—Origin of the present Political System of Europe—The Feudal System—Its Effects upon the Arts, Literature, and Religion—The Crusades, and their Effects upon Society—Growth of Municipal Institutions—Emancipation of the Peasantry—Beginning of a regular Administration of Justice—Trial by Combat—Appeals—Ecclesiastical Courts—Discovery of the Code of Justinian—Chivalry—Revival of Learning—Influence of Commerce—Italians the first Merchants and Bankers—Rise of Trade and Manufactures among the Cities of the Hanseatic League,—in the Netherlands,—in England.

Two great revolutions have happened in the political state and in the manners of the European nations. The first was occasioned by the progress of the Roman power; the second by the subversion of it. When the spirit of conquest led the armies of Rome beyond the Alps, they found all the countries which they invaded inhabited by people whom they denominated barbarians, but who were nevertheless brave and independent. These defended their ancient possessions with obstinate valour. It was by the superiority of their discipline, rather than that of their courage, that the Romans gained any advantage over them. A single battle did not, as among the effeminate inhabitants of Asia, decide the fate of a state. The vanquished people resumed their arms with fresh spirit, and their undisciplined valour, animated by the love of liberty, supplied the want of conduct as well as of union. During those long and fierce struggles for dominion or independence, the countries of Europe were successively laid waste, a great part of their inhabitants perished in the field, many were carried into slavery, and a feeble remnant, incapable of farther resistance, submitted to the Roman power.

The Romans, having thus desolated Europe, set themselves to civilize it. The form of government which they established in the conquered provinces,

though severe, was regular, and preserved public tranquillity. As a consolation for the loss of liberty, they communicated their arts, sciences, language, and manners to their new subjects. Europe began to breathe, and to recover strength after the calamities which it had undergone; agriculture was encouraged; population increased; the ruined cities were rebuilt; new towns were founded; an appearance of prosperity succeeded, and repaired in some degree, the havoc of war.

This state, however, was far from being happy or favourable to the improvement of the human mind. The vanquished nations were disarmed by their conquerors and overawed by soldiers kept in pay to restrain them. They were given up as a prey to rapacious governors, who plundered them with impunity, and were drained of their wealth by exorbitant taxes, levied with so little attention to the situation of the provinces that the impositions were often increased in proportion to their inability to support them. They were deprived of their most enterprising citizens, who resorted to a distant capital in quest of preferment or of riches; and were accustomed in all their actions to look up to a superior and tamely to receive his commands. Under so many depressing circumstances, it was hardly possible that they could retain vigour or generosity of mind. The martial and independent spirit which had distinguished their ancestors became in a great measure extinct among all the people subjected to the Roman yoke; they lost not only the habit but even the capacity of deciding for themselves or of acting from the impulse of their own minds; and the dominion of the Romans, like that of all great empires, degraded and debased the human species.[1]

A society in such a state could not subsist long. There were defects in the Roman government, even in its most perfect form, which threatened its dissolution. Time ripened these original seeds of corruption, and gave birth to many new disorders. A constitution unsound and worn out must have fallen into pieces of itself, without any external shock. The violent irruption of the Goths, Vandals, Huns, and other barbarians hastened this event, and precipitated the downfall of the empire. New nations seemed to arise, and to rush from unknown regions, in order to take vengeance on the Romans for the calamities which they had inflicted on mankind. These fierce tribes either inhabited the various provinces in Germany which had never been subdued by the Romans, or were scattered over those vast countries in the north of Europe and north-west of Asia which are now occupied by the Danes, the Swedes, the Poles, the subjects of the Russian empire, and the Tartars. Their condition and transactions previous to their invasion of the empire are but little known. Almost all our information with respect to these is derived from the Romans; and, as they did not penetrate far into countries which were at that time uncultivated and uninviting, the accounts of their original state given by the Roman historians are extremely imperfect. The rude inhabitants themselves, destitute of science as well as of records, and without leisure or curiosity to inquire into remote events, retained, perhaps, some indistinct memory of recent occurrences, but beyond these all was buried in oblivion or involved in darkness and in fable.[2]

The prodigious swarms which poured in upon the empire from the beginning of the fourth century to the final extinction of the Roman power have given rise to an opinion that the countries whence they issued were crowded with inhabitants; and various theories have been formed to account for such an extraordinary degree of population as hath procured these countries the appellation of "the storehouse of nations." But if we consider that the

[1] Note I. [2] Note II.

countries possessed by the people who invaded the empire were of vast extent, that a great part of these was covered with woods and marshes, that some of the most considerable of the barbarous nations subsisted entirely by hunting or pasturage, in both which states of society large tracts of land are required for maintaining a few inhabitants, and that all of them were strangers to the arts and industry, without which population cannot increase to any great degree, we must conclude that these countries could not be so populous in ancient times as they are in the present, when they still continue to be less peopled than any other part of Europe or of Asia.

But the same circumstances that prevented the barbarous nations from becoming populous contributed to inspire, or to strengthen, the martial spirit by which they were distinguished. Inured by the rigour of their climate, or the poverty of their soil, to hardships which rendered their bodies firm and their minds vigorous, accustomed to a course of life which was a continual preparation for action, and disdaining every occupation but that of war or of hunting, they undertook and prosecuted their military enterprises with an ardour and impetuosity of which men softened by the refinements of more polished times can scarcely form any idea.[2]

Their first inroads into the empire proceeded rather from the love of plunder than from the desire of new settlements. Roused to arms by some enterprising or popular leader, they sallied out of their forests, broke in upon the frontier provinces with irresistible violence, put all who opposed them to the sword, carried off the most valuable effects of the inhabitants, dragged along multitudes of captives in chains, wasted all before them with fire or sword, and returned in triumph to their wilds and fastnesses. Their success, together with the accounts which they gave of the unknown conveniences and luxuries that abounded in countries better cultivated or blessed with a milder climate than their own, excited new adventurers and exposed the frontier to new devastations.

When nothing was left to plunder in the adjacent provinces, ravaged by frequent excursions, they marched farther from home, and, finding it difficult or dangerous to return, they began to settle in the countries which they had subdued. The sudden and short excursions in quest of booty, which had alarmed and disquieted the empire, ceased; a more dreadful calamity impended. Great bodies of armed men, with their wives and children and slaves and flocks, issued forth, like regular colonies, in quest of new settlements. People who had no cities, and seldom any fixed habitation, were so little attached to their native soil that they migrated without reluctance from one place to another. New adventurers followed them. The lands which they deserted were occupied by more remote tribes of barbarians. These, in their turn, pushed forward into more fertile countries, and, like a torrent continually increasing, rolled on, and swept everything before them. In less than two centuries from their first irruption, barbarians of various names and lineage plundered and took possession of Thrace, Pannonia, Gaul, Spain, Africa, and at last of Italy, and Rome itself. The vast fabric of the Roman power, which it had been the work of ages to perfect, was in that short period overturned from the foundation.

Many concurring causes prepared the way for this great revolution, and insured success to the nations which invaded the empire. The Roman commonwealth had conquered the world by the wisdom of its civil maxims and the rigour of its military discipline. But under the emperors the former were forgotten or despised, and the latter was gradually relaxed. The armies of the empire in the fourth and fifth centuries bore scarcely any resemblance to those

[2] Note III.

invincible legions which had been victorious wherever they marched. Instead of freemen who voluntarily took arms from the love of glory or of their country, provincials and barbarians were bribed or forced into service. These were too feeble, or too proud, to submit to the fatigue of military duty. They even complained of the weight of their defensive armour as intolerable, and laid it aside. Infantry, from which the armies of ancient Rome derived their vigour and stability, fell into contempt; the effeminate and undisciplined soldiers of later times could hardly be brought to venture into the field but on horseback. These wretched troops, however, were the only guardians of the empire. The jealousy of despotism had deprived the people of the use of arms; and subjects oppressed and rendered incapable of defending themselves had neither spirit nor inclination to resist their invaders, from whom they had little to fear, because their condition could hardly be rendered more unhappy. At the same time that the martial spirit became extinct, the revenues of the empire gradually diminished. The taste for the luxuries of the East increased to such a pitch in the imperial court that great sums were carried into India, from which, in the channel of commerce, money never returns. By the large subsidies paid to the barbarous nations, a still greater quantity of specie was withdrawn from circulation. The frontier provinces, wasted by frequent incursions, became unable to pay the customary tribute; and the wealth of the world, which had long centred in the capital of the empire, ceased to flow thither in the same abundance, or was diverted into other channels. The limits of the empire continued to be as extensive as ever, while the spirit requisite for its defence declined, and its resources were exhausted. A vast body, languid and almost unanimated, became incapable of any effort to save itself, and was easily overpowered. The emperors, who had the absolute direction of this disordered system, sunk in the softness of Eastern luxury, shut up within the walls of a palace, ignorant of war, unacquainted with affairs, and governed entirely by women and eunuchs, or by ministers equally effeminate, trembled at the approach of danger, and, under circumstances which called for the utmost vigour in council as well as in action, discovered all the impotent irresolution of fear and of folly.

In every respect the condition of the barbarous nations was the reverse of that of the Romans. Among the former the martial spirit was in full vigour; their leaders were hardy and enterprising; the arts which had enervated the Romans were unknown; and such was the nature of their military institutions that they brought forces into the field without any trouble, and supported them at little expense. The mercenary and effeminate troops stationed on the frontier, astonished at their fierceness, either fled at their approach or were routed on the first onset. The feeble expedient to which the emperors had recourse, of taking large bodies of the barbarians into pay and of employing them to repel new invaders, instead of retarding, hastened the destruction of the empire. These mercenaries soon turned their arms against their masters, and with greater advantage than ever; for by serving in the Roman armies they had acquired all the discipline, or skill in war, which the Romans still retained; and upon adding these to their native ferocity they became altogether irresistible.

But though, from these and many other causes, the progress and conquests of the nations which overran the empire became so extremely rapid, they were accompanied with horrible devastations and an incredible destruction of the human species. Civilized nations, which take arms upon cool reflection, from motives of policy or prudence, with a view to guard against some distant danger or to prevent some remote contingency, carry on their hostilities with

so little rancour or animosity that war among them is disarmed of half its terrors. Barbarians are strangers to such refinements. They rush into war with impetuosity and prosecute it with violence. Their sole object is to make their enemies feel the weight of their vengeance; nor does their rage subside until it be satiated with inflicting on them every possible calamity. It is with such a spirit that the savage tribes in America carry on their petty wars. It was with the same spirit that the more powerful and no less fierce barbarians in the north of Europe and of Asia fell upon the Roman empire.

Wherever they marched, their route was marked with blood. They ravaged or destroyed all around them. They made no distinction between what was sacred and what was profane. They respected no age, or sex, or rank. What escaped the fury of the first inundation perished in those which followed it. The most fertile and populous provinces were converted into deserts, in which were scattered the ruins of villages and cities that afforded shelter to a few miserable inhabitants whom chance had preserved, or the sword of the enemy, wearied with destroying, had spared. The conquerors who first settled in the countries which they had wasted were expelled or exterminated by new invaders, who, coming from regions farther removed from the civilized parts of the world, were still more fierce and rapacious. This brought fresh calamities upon mankind, which did not cease until the North, by pouring forth successive swarms, was drained of people and could no longer furnish instruments of destruction. Famine and pestilence, which always march in the train of war when it ravages with such inconsiderate cruelty, raged in every part of Europe and completed its sufferings. If a man were called to fix upon the period in the history of the world during which the condition of the human race was most calamitous and afflicted, he would without hesitation name that which elapsed from the death of Theodosius the Great to the establishment of the Lombards in Italy.[4] The contemporary authors who beheld that scene of desolation labour and are at a loss for expressions to describe the horror of it. *The scourge of God*, *The destroyer of nations*, are the dreadful epithets by which they distinguished the most noted of the barbarous leaders; and they compare the ruin which they had brought on the world to the havoc occasioned by earthquakes, conflagrations, or deluges, the most formidable and fatal calamities which the imagination of man can conceive.

But no expressions can convey so perfect an idea of the destructive progress of the barbarians as that which must strike an attentive observer when he contemplates the total change which he will discover in the state of Europe after it began to recover some degree of tranquillity, towards the close of the sixth century. The Saxons were by that time masters of the southern and more fertile provinces of Britain; the Franks, of Gaul; the Huns, of Pannonia; the Goths, of Spain; the Goths and Lombards, of Italy and the adjacent provinces. Very faint vestiges of the Roman policy, jurisprudence, arts, or literature remained. New forms of government, new laws, new manners, new dresses, new languages, and new names of men and countries were everywhere introduced. To make a great or sudden alteration with respect to any of these, unless where the ancient inhabitants of a country have been almost totally exterminated, has proved an undertaking beyond the power of the greatest conquerors.[5] The great change which the settlement of the barbarous nations occasioned in the state of Europe may, therefore, be considered as a more decisive proof, than even the testimony of

[4] Theodosius died A.D. 395; the reign of Alboinus in Lombardy began A.D. 571: so that this period was one hundred and seventy-six years.

[5] Note IV.

contemporary historians, of the destructive violence with which these invaders carried on their conquests, and of the havoc which they had made from one extremity of this quarter of the globe to the other.[6]

In the obscurity of the chaos occasioned by this general wreck of nations, we must search for the seeds of order, and endeavour to discover the first rudiments of the policy and laws now established in Europe. To this source the historians of its different kingdoms have attempted, though with less attention and industry than the importance of the inquiry merits, to trace back the institutions and customs peculiar to their countrymen. It is not my province to give a minute detail of the progress of government and manners in each particular nation whose transactions are the object of the following history. But in order to exhibit a just view of the state of Europe at the opening of the sixteenth century it is necessary to look back, and to contemplate the condition of the Northern nations upon their first settlement in those countries which they occupied. It is necessary to mark the great steps by which they advanced from barbarism to refinement, and to point out those general principles and events which, by their uniform as well as extensive operation, conducted all of them to that degree of improvement in policy and in manners which they had attained at the period when Charles V. began his reign.

When nations subject to despotic government make conquests, these serve only to extend the dominion and the power of their master. But armies composed of freemen conquer for themselves, not for their leaders. The people who overturned the Roman empire and settled in its various provinces were of the latter class. Not only the different nations that issued from the north of Europe, which has always been considered as the seat of liberty, but the Huns and Alans, who inhabited part of those countries which have been marked out as the peculiar region of servitude,[7] enjoyed freedom and independence in such a high degree as seems to be scarcely compatible with a state of social union or with the subordination necessary to maintain it. They followed the chieftain who led them forth in quest of new settlements, not by constraint, but from choice; not as soldiers whom he could order to march, but as volunteers who offered to accompany him.[8] They considered their conquests as a common property, in which all had a title to share, as all had contributed to acquire them.[9] In what manner or by what principles they divided among them the lands which they seized, we cannot now determine with any certainty. There is no nation in Europe whose records reach back to this remote period; and there is little information to be got from uninstructive and meagre chronicles, compiled by writers ignorant of the true end and unacquainted with the proper objects of history.

This new division of property, however, together with the maxims and manners to which it gave rise, gradually introduced a species of government formerly unknown. This singular institution is now distinguished by the name of the *feudal system;* and though the barbarous nations which framed it settled in their new territories at different times, came from different countries, spoke various languages, and were under the command of separate leaders, the feudal policy and laws were established, with little variation, in every kingdom of Europe. This amazing uniformity hath induced some authors[10] to believe that all these nations, notwithstanding so many apparent circumstances of distinction, were originally the same people. But it may be

[6] Note V.
[7] De l'Esprit des Loix, liv. xvii. ch. 3.
[8] Note VI.
[9] Note VII.
[10] Procop. de Bello Vandal., ap. Script. Byz., edit. Ven., vol. i. p. 345.

ascribed with greater probability to the similar state of society and of manners to which they were accustomed in their native countries, and to the similar situation in which they found themselves on taking possession of their new domains.

As the conquerors of Europe had their acquisitions to maintain, not only against such of the ancient inhabitants as they had spared, but against the more formidable inroads of new invaders, self-defence was their chief care, and seems to have been the chief object of their first institutions and policy. Instead of those loose associations which, though they scarcely diminished their personal independence, had been sufficient for their security while they remained in their original countries, they saw the necessity of uniting in more close confederacy, and of relinquishing some of their private rights in order to attain public safety. Every freeman, upon receiving a portion of the lands which were divided, bound himself to appear in arms against the enemies of the community. This military service was the condition upon which he received and held his lands; and, as they were exempted from every other burden, that, tenure, among a warlike people, was deemed both easy and honourable. The king or general who led them to conquest, continuing still to be the head of the colony, had, of course, the largest portion allotted to him. Having thus acquired the means of rewarding past services, as well as of gaining new adherents, he parcelled out his lands with this view, binding those on whom they were bestowed to resort to his standard with a number of men in proportion to the extent of the territory which they received, and to bear arms in his defence. His chief officers imitated the example of the sovereign, and, in distributing portions of their lands among their dependants, annexed the same condition to the grant. Thus a feudal kingdom resembled a military establishment rather than a civil institution. The victorious army, cantoned out in the country which it had seized, continued ranged under its proper officers and subordinate to military command. The names of a soldier and of a freeman were synonymous.[11] Every proprietor of land, girt with a sword, was ready to march at the summons of his superior and to take the field against the common enemy.

But though the feudal policy seems to be so admirably calculated for defence against the assaults of any foreign power, its provisions for the interior order and tranquillity of society were extremely defective. The principles of disorder and corruption are discernible in that constitution under its best and most perfect form. They soon unfolded themselves, and, spreading with rapidity through every part of the system, produced the most fatal effects. The bond of political union was extremely feeble; the sources of anarchy were innumerable. The monarchical and aristocratical parts of the constitution, having no intermediate power to balance them, were perpetually at variance and justling with each other. The powerful vassals of the crown soon extorted a confirmation for life of those grants of land which, being at first purely gratuitous, had been bestowed only during pleasure. Not satisfied with this, they prevailed to have them converted into hereditary possessions. One step more completed their usurpations, and rendered them unalienable.[12] With an ambition no less enterprising, and more preposterous, they appropriated to themselves titles of honour, as well as offices of power or trust. These personal marks of distinction, which the public admiration bestows on illustrious merit, or which the public confidence confers on extraordinary abilities, were annexed to certain families, and transmitted like fiefs, from father to son, by hereditary right. The crown vassals having thus secured the

[11] Du Cange, Glossar., voc. *Miles*.

[12] Note VIII.

possession of their lands and dignities, the nature of the feudal institutions, which, though founded on subordination, verged to independence, led them to new and still more dangerous encroachments on the prerogatives of the sovereign. They obtained the power of supreme jurisdiction, both civil and criminal, within their own territories; the right of coining money; together with the privilege of carrying on war against their private enemies in their own name and by their own authority. The ideas of political subjection were almost entirely lost, and frequently scarce any appearance of feudal subordination remained. Nobles who had acquired such enormous power scorned to consider themselves as subjects. They aspired openly at being independent; the bonds which connected the principal members of the constitution with the crown were dissolved. A kingdom considerable in name and in extent was broken into as many separate principalities as it contained powerful barons. A thousand causes of jealousy and discord subsisted among them, and gave rise to as many wars. Every country in Europe, wasted or kept in continual alarm during these endless contests, was filled with castles and places of strength erected for the security of the inhabitants, not against foreign force, but against internal hostilities. A universal anarchy, destructive in a great measure of all the advantages which men expect to derive from society, prevailed. The people, the most numerous as well as the most useful part of the community, were either reduced to a state of actual servitude, or treated with the same insolence and rigour as if they had been degraded into that wretched condition.[13] The king, stripped of almost every prerogative, and without authority to enact or to execute salutary laws, could neither protect the innocent nor punish the guilty. The nobles, superior to all restraint, harassed each other with perpetual wars, oppressed their fellow-subjects, and humbled or insulted their sovereign. To crown all, time gradually fixed and rendered venerable this pernicious system, which violence had established.

Such was the state of Europe with respect to the interior administration of government from the seventh to the eleventh century. All the external operations of its various states during this period were, of course, extremely feeble. A kingdom dismembered, and torn with dissension, without any common interest to rouse or any common head to conduct its force, was incapable of acting with vigour. Almost all the wars in Europe during the ages which I have mentioned were trifling, indecisive, and productive of no considerable event. They resembled the short incursions of pirates or banditti, rather than the steady operations of a regular army. Every baron, at the head of his vassals, carried on some petty enterprise to which he was prompted by his own ambition or revenge. The state itself, destitute of union, either remained altogether inactive, or, if it attempted to make any effort, that served only to discover its impotence. The superior genius of Charlemagne, it is true, united all these disjointed and discordant members, and formed them again into one body, restored to government that degree of activity which distinguishes his reign and renders the transactions of it objects not only of attention, but of admiration, to more enlightened times. But this state of union and vigour, not being natural to the feudal government, was of short duration. Immediately upon his death, the spirit which animated and sustained the vast system which he had established being withdrawn, it broke into pieces. All the calamities which flow from anarchy and discord, returning with additional force, afflicted the different kingdoms into which his empire was split. From that time to the eleventh century, a succession of uninteresting events, a series of wars the motives as well as the consequences

[13] Note IX.

of which were unimportant, fill and deform the annals of all the nations in Europe.

To these pernicious effects of the feudal anarchy may be added its fatal influence on the character and improvement of the human mind. If men do not enjoy the protection of regular government, together with the expectation of personal security, which naturally flows from it, they never attempt to make progress in science, nor aim at attaining refinement in taste or in manners. That period of turbulence, oppression, and rapine which I have described was ill suited to favour improvement in any of these. In less than a century after the barbarous nations settled in their new conquests, almost all the effects of the knowledge and civility which the Romans had spread through Europe disappeared. Not only the arts of elegance, which minister to luxury and are supported by it, but many of the useful arts, without which life can scarcely be considered as comfortable, were neglected or lost. Literature, science, taste, were words little in use during the ages which we are contemplating; or, if they occur at any time, eminence in them is ascribed to persons and productions so contemptible that it appears their true import was little understood. Persons of the highest rank and in the most eminent stations could not read or write. Many of the clergy did not understand the breviary which they were obliged daily to recite; some of them could scarcely read it.[14] The memory of past transactions was in a great degree lost, or preserved in annals filled with trifling events or legendary tales. Even the codes of laws published by the several nations which established themselves in the different countries of Europe fell into disuse, while in their place customs vague and capricious were substituted. The human mind, neglected, uncultivated, and depressed, continued in the most profound ignorance. Europe, during four centuries, produced few authors who merit to be read, either on account of the elegance of their composition or the justness and novelty of their sentiments. There are few inventions useful or ornamental to society of which that long period can boast.

Even the Christian religion, though its precepts are delivered, and its institutions are fixed in Scripture, with a precision which should have exempted them from being misinterpreted or corrupted, degenerated, during those ages of darkness, into an illiberal superstition. The barbarous nations, when converted to Christianity, changed the object, not the spirit, of their religious worship. They endeavoured to conciliate the favour of the true God by means not unlike to those which they had employed in order to appease their false deities. Instead of aspiring to sanctity and virtue, which alone can render men acceptable to the great Author of order and of excellence, they imagined that they satisfied every obligation of duty by a scrupulous observance of external ceremonies.[15] Religion, according to their conceptions of it, comprehended nothing else; and the rites by which they persuaded themselves that they could gain the favour of Heaven were of such a nature as might have been expected from the rude ideas of the ages which devised and introduced them. They were either so unmeaning as to be altogether unworthy of the Being to whose honour they were consecrated, or so absurd as to be a disgrace to reason and humanity.[16] Charlemagne in France, and Alfred the Great in England, endeavoured to dispel this darkness, and gave their subjects a short glimpse of light and knowledge. But the ignorance of the age was too powerful for their efforts and institutions. The darkness returned, and settled over Europe more thick and heavy than before.

As the inhabitants of Europe during these centuries were strangers to the

[14] Note X. [15] Note XI. [16] Note XII.

arts which embellish a polished age, they were destitute of the virtues which abound among people who continue in a simple state. Force of mind, a sense of personal dignity, gallantry in enterprise, invincible perseverance in execution, contempt of danger and of death, are the characteristic virtues of uncivilized nations. But these are all the offspring of equality and independence, both which the feudal institutions had destroyed. The spirit of domination corrupted the nobles, the yoke of servitude depressed the people, the generous sentiments inspired by a sense of equality were extinguished, and hardly anything remained to be a check on ferocity and violence. Human society is in its most corrupted state at that period when men have lost their original independence and simplicity of manners, but have not attained that degree of refinement which introduces a sense of decorum and of propriety in conduct, as a restraint on those passions which lead to heinous crimes. Accordingly, a greater number of those atrocious actions which fill the mind of man with astonishment and horror occur in the history of the centuries under review than in that of any period of the same extent in the annals of Europe. If we open the history of Gregory of Tours, or of any contemporary author, we meet with a series of deeds of cruelty, perfidy, and revenge so wild and enormous as almost to exceed belief.

But, according to the observation of an elegant and profound historian,[17] there is an ultimate point of depression, as well as of exaltation, from which human affairs naturally return in a contrary progress, and beyond which they never pass either in their advancement or decline. When defects either in the form or in the administration of government occasion such disorders in society as are excessive and intolerable, it becomes the common interest to discover and to apply such remedies as will most effectually remove them. Slight inconveniences may be long overlooked or endured; but when abuses grow to a certain pitch the society must go to ruin or must attempt to reform them. The disorders in the feudal system, together with the corruption of taste and manners consequent upon these, which had gone on increasing during a long course of years, seemed to have attained their utmost point of excess towards the close of the eleventh century. From that era we may date the return of government and manners in a contrary direction, and can trace a succession of causes and events which contributed, some with a nearer and more conspicuous, others with a more remote and less perceptible influence, to abolish confusion and barbarism, and to introduce order, regularity, and refinement.

In pointing out and explaining these causes and events, it is not necessary to observe the order of time with a chronological accuracy: it is of more importance to keep in view their mutual connection and dependence, and to show how the operation of one event or one cause prepared the way for another and augmented its influence. We have hitherto been contemplating the progress of that darkness which spread over Europe, from its first approach, to the period of greatest obscuration: a more pleasant exercise begins here; to observe the first dawnings of returning light, to mark the various accessions by which it gradually increased and advanced towards the full splendour of day.

I. The crusades, or expeditions in order to rescue the Holy Land out of the hands of infidels, seemed to be the first event that roused Europe from the lethargy in which it had been long sunk, and that tended to introduce any considerable change in government or in manners. It is natural to the human mind to view those places which have been distinguished by being the resi-

[17] Hume's History of England, vol. ii. p. 441.

dence of any illustrious personage, or the scene of any great transaction, with some degree of delight and veneration. To this principle must be ascribed the superstitious devotion with which Christians, from the earliest ages of the Church, were accustomed to visit that country which the Almighty had selected as the inheritance of his favourite people, and in which the Son of God had accomplished the redemption of mankind. As this distant pilgrimage could not be performed without considerable expense, fatigue, and danger, it appeared the more meritorious, and came to be considered as an expiation for almost every crime. An opinion which spread with rapidity over Europe about the close of the tenth and beginning of the eleventh century, and which gained universal credit, wonderfully augmented the number of credulous pilgrims, and increased the ardour with which they undertook this useless voyage. The thousand years mentioned by St. John [18] were supposed to be accomplished, and the end of the world to be at hand. A general consternation seized mankind; many relinquished their possessions, and, abandoning their friends and families, hurried with precipitation to the Holy Land, where they imagined that Christ would quickly appear to judge the world.[19] While Palestine continued subject to the Caliphs, they had encouraged the resort of pilgrims to Jerusalem, and considered this as a beneficial species of commerce, which brought into their dominions gold and silver and carried out of them but relics and consecrated trinkets. But the Turks having conquered Syria about the middle of the eleventh century, pilgrims were exposed to outrages of every kind from these fierce barbarians.[20] This change, happening precisely at the juncture when the panic terror which I have mentioned rendered pilgrimages most frequent, filled Europe with alarm and indignation. Every person who returned from Palestine related the dangers which he had encountered in visiting the holy city, and described with exaggeration the cruelty and vexations of the Turks.

When the minds of men were thus prepared, the zeal of a fanatical monk, who conceived the idea of leading all the forces of Christendom against the infidels, and of driving them out of the Holy Land by violence, was sufficient to give a beginning to that wild enterprise. Peter the Hermit, for that was the name of this martial apostle, ran from province to province with a crucifix in his hand, exciting princes and people to this holy war, and wherever he came kindled the same enthusiastic ardour for it with which he himself was animated. The Council of Placentia, where upwards of thirty thousand persons were assembled, pronounced the scheme to have been suggested by the immediate inspiration of Heaven. In the Council of Clermont, still more numerous, as soon as the measure was proposed, all cried out with one voice, "It is the will of God." Persons of all ranks catched the contagion; not only the gallant nobles of that age, with their martial followers, whom we may suppose apt to be allured by the boldness of a romantic enterprise, but men in the more humble and pacific stations of life, ecclesiastics of every order, and even women and children, engaged with emulation in an undertaking which was deemed sacred and meritorious. If we may believe the concurring testimony of contemporary authors, six millions of persons assumed the cross,[21] which was the badge that distinguished such as devoted themselves to this

[18] Rev. xx. 2, 3, 4.

[19] Chronic. Will. Godelli, ap. Bouquet, Recueil des Historiens de France, tom. x. p. 262.—Vita Abonis. ibid., p. 332.—Chronic. S. Pantaleonis, ap. Eccard. Corp. Scrip. Medii Ævi, vol. i. p. 909.—Annalista Saxo, ibid., p. 576.

[20] Jo. Dan. Schoepflini de sacris Gallorum in Orientem Expeditionibus, p. 4, Argent., 1726, 4to.

[21] Fulcherius Carnotensis, ap. Bongarsii Gesta Dei per Francos, vol. i. p. 387, edit. Han., 1611.

holy warfare. All Europe, says the princess Anna Comnena, torn up from the foundation, seemed ready to precipitate itself in one united body upon Asia.[22] Nor did the fumes of this enthusiastic zeal evaporate at once; the frenzy was as lasting as it was extravagant. During two centuries Europe seems to have had no object but to recover, or keep possession of, the Holy Land; and through that period vast armies continued to march thither.[23]

The first efforts of valour, animated by enthusiasm, were irresistible: part of the lesser Asia, all Syria, and Palestine, were wrested from the infidels; the banner of the cross was displayed on Mount Sion; Constantinople, the capital of the Christian empire in the East, was afterwards seized by a body of those adventurers who had taken arms against the Mahometans; and an earl of Flanders and his descendants kept possession of the imperial throne during half a century. But though the first impression of the crusaders was so unexpected that they made their conquests with great ease, they found infinite difficulty in preserving them. Establishments so distant from Europe, surrounded by warlike nations animated with fanatical zeal scarcely inferior to that of the crusaders themselves, were perpetually in danger of being overturned. Before the expiration of the thirteenth century, the Christians were driven out of all their Asiatic possessions, in acquiring of which incredible numbers of men had perished and immense sums of money had been wasted. The only common enterprise in which the European nations ever engaged, and which they all undertook with equal ardour, remains a singular monument of human folly.

But from these expeditions, extravagant as they were, beneficial consequences followed which had neither been foreseen nor expected. In their progress towards the Holy Land the followers of the cross marched through countries better cultivated and more civilized than their own. Their first rendezvous was commonly in Italy, in which Venice, Genoa, Pisa, and other cities had begun to apply themselves to commerce, and had made considerable advances towards wealth as well as refinement. They embarked there, and, landing in Dalmatia, pursued their route by land to Constantinople. Though the military spirit had been long extinct in the Eastern empire, and a despotism of the worst species had annihilated almost every public virtue, yet Constantinople, having never felt the destructive rage of the barbarous nations, was the greatest as well as the most beautiful city in Europe, and the only one in which there remained any image of the ancient elegance in manners and arts. The naval power of the Eastern empire was considerable. Manufactures of the most curious fabric were carried on in its dominions. Constantinople was the chief mart in Europe for the commodities of the East Indies. Although the Saracens and Turks had torn from the empire many of its richest provinces and had reduced it within very narrow bounds, yet great wealth flowed into the capital from these various sources, which not only cherished such a taste for magnificence, but kept alive such a relish for the sciences, as appears considerable when compared with what was known in other parts of Europe. Even in Asia, the Europeans who had assumed the cross found the remains of the knowledge and arts which the example and encouragement of the Caliphs had diffused through their empire. Although the attention of the historians of the crusades was fixed on other objects than the state of society and manners among the nations which they invaded, although most of them had neither taste nor discernment enough to describe these, they relate, however, such signal acts of humanity and generosity in the conduct of Saladin, as well as some other leaders of the Mahometans, as give us a very high idea of their

[22] Alexias, lib. x., ap. Byz. Script., vol. xi. p. 224. [23] Note XIII.

manners. It was not possible for the crusaders to travel through so many countries, and to behold their various customs and institutions, without acquiring information and improvement. Their views enlarged; their prejudices wore off; new ideas crowded into their minds; and they must have been sensible, on many occasions, of the rusticity of their own manners when compared with those of a more polished people. These impressions were not so slight as to be effaced upon their return to their native countries. A close intercourse subsisted between the East and West during two centuries; new armies were continually marching from Europe to Asia, while former adventurers returned home, and imported many of the customs to which they had been familiarized by a long residence abroad. Accordingly, we discover, soon after the commencement of the crusades, greater splendour in the courts of princes, greater pomp in public ceremonies, a more refined taste in pleasure and amusements, together with a more romantic spirit of enterprise, spreading gradually over Europe; and to these wild expeditions, the effect of superstition or folly, we owe the first gleams of light which tended to dispel barbarism and ignorance.

But these beneficial consequences of the crusades took place slowly; their influence upon the state of property, and consequently of power, in the different kingdoms of Europe, was more immediate, as well as discernible. The nobles who assumed the cross and bound themselves to march to the Holy Land soon perceived that great sums were necessary towards defraying the expense of such a distant expedition and enabling them to appear with suitable dignity at the head of their vassals. But the genius of the feudal system was averse to the imposition of extraordinary taxes; and subjects in that age were unaccustomed to pay them. No expedient remained for levying the sums requisite, but the sale of their possessions. As men were inflamed with romantic expectations of the splendid conquests which they hoped to make in Asia, and possessed with such zeal for recovering the Holy Land as swallowed up every other passion, they relinquished their ancient inheritances without any reluctance, and for prices far below their value, that they might sally forth as adventurers in quest of new settlements in unknown countries. The monarchs of the great kingdoms in the West, none of whom had engaged in the first crusade, eagerly seized this opportunity of annexing considerable territories to their crowns at small expense.[24] Besides this, several great barons who perished in the holy war having left no heirs, their fiefs reverted of course to their respective sovereigns; and by these accessions of property, as well as power taken from the one scale and thrown into the other, the regal authority rose in proportion as that of the aristocracy declined. The absence, too, of many potent vassals, accustomed to control and give law to their sovereigns, afforded them an opportunity of extending their prerogative, and of acquiring a degree of weight in the constitution which they did not formerly possess. To these circumstances we may add that, as all who assumed the cross were taken under the immediate protection of the Church, and its heaviest anathemas were denounced against such as should disquiet or annoy those who had devoted themselves to this service, the private quarrels and hostilities which banished tranquillity from a feudal kingdom were suspended or extinguished; a more general and steady administration of justice began to be introduced, and some advances were made towards the establishment of regular government in the several kingdoms of Europe.[25]

[24] Wilhelm. Malmsbur. Guibert. Abbas, ap. Bongars., vol. i. p. 481.—Guib. Abbas, ap. Bongars., vol. i. pp. 480, 482.—See also Note XIV.

[25] Du Cange, Glossar., voc. *Cruce signatus.*

The commercial effects of the crusades were not less considerable than those which I have already mentioned. The first armies under the standard of the cross, which Peter the Hermit and Godfrey of Bouillon led through Germany and Hungary to Constantinople, suffered so much by the length of the march, as well as by the fierceness of the barbarous people who inhabited those countries, that it deterred others from taking the same route; and, rather than encounter so many dangers, they chose to go by sea. Venice, Genoa, and Pisa furnished the transports on which they embarked. The sum which these cities received merely for freight from such numerous armies was immense.[26] This, however, was but a small part of what they gained by the expeditions to the Holy Land: the crusaders contracted with them for military stores and provisions; their fleets kept on the coast as the armies advanced by land, and, supplying them with whatever was wanting, engrossed all the profits of a branch of commerce which in every age has been extremely lucrative. The success which attended the arms of the crusaders was productive of advantages still more permanent. There are charters yet extant, containing grants to the Venetians, Pisans, and Genoese, of the most extensive immunities in the several settlements which the Christians made in Asia. All the commodities which they imported or exported are thereby exempted from every imposition; the property of entire suburbs in some of the maritime towns, and of large streets in others, is vested in them; and all questions arising among persons settled within their precincts or who traded under their protection are appointed to be tried by their own laws and by judges of their own appointment.[27] When the crusaders seized Constantinople and placed one of their own leaders on the imperial throne, the Italian states were likewise gainers by that event. The Venetians, who had planned the enterprise and took a considerable part in carrying it into execution, did not neglect to secure to themselves the chief advantages redounding from its success. They made themselves masters of part of the ancient Peloponnesus in Greece, together with some of the most fertile islands in the Archipelago. Many valuable branches of the commerce which formerly centred in Constantinople were transferred to Venice, Genoa, or Pisa. Thus a succession of events occasioned by the holy war opened various sources from which wealth flowed in such abundance into these cities[28] as enabled them, in concurrence with another institution, which shall be immediately mentioned, to secure their own liberty and independence.

II. The institution to which I alluded was the forming of cities into communities, corporations, or bodies politic, and granting them the privilege of municipal jurisdiction, which contributed more perhaps than any other cause to introduce regular government, police, and arts, and to diffuse them over Europe. The feudal government had degenerated into a system of oppression. The usurpations of the nobles were become unbounded and intolerable; they had reduced the great body of the people into a state of actual servitude: the condition of those dignified with the name of freemen was often little preferable to that of the other. Nor was such oppression the portion of those alone who dwelt in the country and were employed in cultivating the estate of their master. Cities and villages found it necessary to hold of some great lord, on whom they might depend for protection and become no less subject to his arbitrary jurisdiction. The inhabitants were deprived of those rights which, in social life, are deemed most natural and inalienable. They could

[26] Muratori, Antiquit. Italic. Medii Ævi, vol. ii. p. 905.

[27] Ibid., p. 906, etc.

[28] Villehardouin, Histoire de Constant, sous l'Empereurs François, p. 105, etc.

not dispose of the effects which their own industry had acquired, either by a latter will, or by any deed executed during their life.[29] They had no right to appoint guardians for their children during their minority. They were not permitted to marry without purchasing the consent of the lord on whom they depended.[30] If once they had commenced a lawsuit, they durst not terminate it by an accommodation, because that would have deprived the lord, in whose court they pleaded, of the perquisites due to him on passing sentence.[31] Services of various kinds, no less disgraceful than oppressive, were exacted from them without mercy or moderation. The spirit of industry was checked in some cities by absurd regulations, and in others by unreasonable exactions; nor would the narrow and oppressive maxims of a military aristocracy have permitted it ever to rise to any degree of height or vigour.[32]

But as soon as the cities of Italy began to turn their attention towards commerce, and to conceive some idea of the advantages which they might derive from it, they became impatient to shake off the yoke of their insolent lords, and to establish among themselves such a free and equal government as would render property secure and industry flourishing. The German emperors, especially those of the Franconian and Suabian lines, as the seat of their government was far distant from Italy, possessed a feeble and imperfect jurisdiction in that country. Their perpetual quarrels, either with the popes or with their own turbulent vassals, diverted their attention from the interior police of Italy and gave constant employment to their arms. These circumstances encouraged the inhabitants of some of the Italian cities, towards the beginning of the eleventh century, to assume new privileges, to unite together more closely, and to form themselves into bodies politic under the government of laws established by common consent.[33] The rights which many cities acquired by bold or fortunate usurpations, others purchased from the emperors, who deemed themselves gainers when they received large sums for immunities which they were no longer able to withhold; and some cities obtained them gratuitously, from the generosity or facility of the princes on whom they depended. The great increase of wealth which the crusades brought into Italy occasioned a new kind of fermentation and activity in the minds of the people, and excited such a general passion for liberty and independence that before the conclusion of the last crusade all the considerable cities in that country had either purchased or had extorted large immunities from the emperors.[34]

This innovation was not long known in Italy before it made its way into France. Louis le Gros, in order to create some power that might counterbalance those potent vassals who controlled or gave law to the crown, first adopted the plan of conferring new privileges on the towns situated within its own domain. These privileges were called *charters of community*, by which he enfranchised the inhabitants, abolished all marks of servitude, and formed them into corporations or bodies politic, to be governed by a council and magistrates of their own nomination. These magistrates had the right of administering justice within their own precincts, of levying taxes, of embodying and training to arms the militia of the town, which took the field when required by the sovereign, under the command of officers appointed by the community. The great barons imitated the example of their monarch, and

[29] Dacherii Spicileg., tom. xi. pp. 374, 375, edit. in 4to.—Ordonnances des Rois de France, tom. iii. p. 204, no. 2, 6.

[30] Ordonnances des Rois de France, tom. i. p. 22; tom. iii. p. 203, no. 1.—Murat., Antiq. Ital., vol. iv. p. 20.—Dacher. Spicil., vol. ix. pp. 325, 341.

[31] Dacher. Spicil., vol. ix. p. 182.

[32] M. l'Abbé Mably, Observations sur l'Histoire de France, tom. ii. pp. 2, 96.

[33] Murat. Antiq. Ital., vol. iv. p. 5.

[34] Note XV.

granted like immunities to the towns within their territories. They had wasted such great sums in their expeditions to the Holy Land that they were eager to lay hold on this new expedient for raising money, by the sale of those charters of liberty. Though the institution of communities was as repugnant to their maxims of policy as it was adverse to their power, they disregarded remote consequences in order to obtain present relief. In less than two centuries servitude was abolished in most of the towns in France, and they became free corporations, instead of dependent villages without jurisdiction or privileges.[35] Much about the same period the great cities in Germany began to acquire like immunities, and laid the foundation of their present liberty and independence.[36] The practice spread quickly over Europe, and was adopted in Spain, England, Scotland, and all the other feudal kingdoms.[37]

The good effects of this new institution were immediately felt, and its influence on government as well as manners was no less extensive than salutary. A great body of the people was released from servitude, and from all the arbitrary and grievous impositions to which that wretched condition had subjected them. Towns, upon acquiring the right of community, became so many little republics, governed by known and equal laws. Liberty was deemed such an essential and characteristic part in their constitution that if any slave took refuge in one of them, and resided there during a year without being claimed, he was instantly declared a freeman and admitted as a member of the community.[38]

As one part of the people owed their liberty to the erection of communities, another was indebted to them for their security. Such had been the state of Europe during several centuries that self-preservation obliged every man to court the patronage of some powerful baron, and in times of danger his castle was the place to which all resorted for safety. But towns surrounded with walls, whose inhabitants were regularly trained to arms, and bound by interest, as well as by the most solemn engagements, reciprocally to defend each other, afforded a more commodious and secure retreat. The nobles began to be considered as of less importance when they ceased to be the sole guardians to whom the people could look up for protection against violence.

If the nobility suffered some diminution of their credit and power by the privileges granted to the cities, the crown acquired an increase of both. As there were no regular troops kept on foot in any of the feudal kingdoms, the monarch could bring no army into the field but what was composed of soldiers furnished by the crown vassals, always jealous of the regal authority; nor had he any funds for carrying on the public service but such as they granted him with a very sparing hand. But when the members of communities were permitted to bear arms, and were trained to the use of them, this in some degree supplied the first defect, and gave the crown the command of a body of men independent of its great vassals. The attachment of the cities to their sovereigns, whom they respected as the first authors of their liberties, and whom they were obliged to court as the protectors of their immunities against the domineering spirit of the nobles, contributed somewhat towards removing the second evil, as, on many occasions, it procured the crown supplies of money, which added new force to government.[39]

The acquisition of liberty made such a happy change in the condition of all the members of communities as roused them from that inaction into which

[35] Note XVI.
[36] Note XVII.
[37] Note XVIII.
[38] Statut. Humberti Bellojoci, Dacher. Spicil., vol. ix. pp. 182, 185.—Charta Comit. Forens., ibid., p. 193.
[39] Ordon. des Rois de France, tom. i. pp. 602, 785; tom. ii. pp. 318, 422.

they had been sunk by the wretchedness of their former state. The spirit of industry revived. Commerce became an object of attention, and began to flourish. Population increased. Independence was established; and wealth flowed into cities which had long been the seat of poverty and oppression. Wealth was accompanied by its usual attendants, ostentation and luxury; and though the former was formal and cumbersome, and the latter inelegant, they led gradually to greater refinement in manners and in the habits of life. Together with this improvement in manners, a more regular species of government and police was introduced. As cities grew to be more populous, and the occasions of intercourse among men increased, statutes and regulations multiplied of course, and all became sensible that their common safety depended on observing them with exactness and on punishing such as violated them with promptitude and rigour. Laws and subordination, as well as polished manners, taking their rise in cities, diffused themselves insensibly through the rest of the society.

III. The inhabitants of cities, having obtained personal freedom and municipal jurisdiction, soon acquired civil liberty and political power. It was a fundamental principle in the feudal system of policy that no freeman could be subjected to new laws or taxes unless by his own consent. In consequence of this, the vassals of every baron were called to his court, in which they established, by mutual consent, such regulations as they deemed most beneficial to their small society, and granted their superior such supplies of money as were proportioned to their abilities or to his wants. The barons themselves, conformably to the same maxim, were admitted into the supreme assembly of the nation, and concurred with the sovereign in enacting laws or in imposing taxes. As the superior lord, according to the original plan of feudal policy, retained the direct property of those lands which he granted in temporary possession to his vassals, the law, even after fiefs became hereditary, still supposed this original practice to subsist. The great council of each nation, whether distinguished by the name of a parliament, a diet, the cortes, or the states-general, was composed entirely of such barons and dignified ecclesiastics as held immediately of the crown. Towns, whether situated within the royal domain or on the lands of a subject, depended originally for protection on the lord of whom they held. They had no legal name, no political existence, which could entitle them to be admitted into the legislative assembly, or could give them any authority there. But as soon as they were enfranchised, and formed into bodies corporate, they became legal and independent members of the constitution, and acquired all the rights essential to freemen. Among these, the most valuable was the privilege of a decisive voice in enacting public laws and granting national subsidies. It was natural for cities, accustomed to a form of municipal government according to which no regulation could be established within the community, and no money could be raised, but by their own consent, to claim this privilege. The wealth, the power, and consideration which they acquired on recovering their liberty added weight to their claim; and favourable events happened, or fortunate conjunctures occurred, in the different kingdoms of Europe, which facilitated their obtaining possession of this important right. In England, one of the first countries in which the representatives of boroughs were admitted into the great council of the nation, the barons who took arms against Henry III. summoned them to attend parliament, in order to add greater popularity to their party and to strengthen the barrier against the encroachment of regal power. In France, Philip the Fair, a monarch no less sagacious than enterprising, considered them as instruments which might be employed with equal advantage to

extend the royal prerogative, to counterbalance the exorbitant power of the nobles, and to facilitate the imposition of new taxes. With these views, he introduced the deputies of such towns as were formed into communities into the states-general of the nation.[40] In the empire, the wealth and immunities of the imperial cities placed them on a level with the most considerable members of the Germanic body. Conscious of their own power and dignity, they pretended to the privilege of forming a separate bench in the diet, and made good their pretensions.[41] [1293.]

But in what way soever the representatives of cities first gained a place in the legislature, that event had great influence on the form and genius of government. It tempered the rigour of aristocratical oppression with a proper mixture of popular liberty; it secured to the great body of the people, who had formerly no representatives, active and powerful guardians of their rights and privileges; it established an intermediate power between the king and the nobles, to which each had recourse alternately, and which at some times opposed the usurpations of the former, on other occasions checked the encroachments of the latter. As soon as the representatives of communities gained any degree of credit and influence in the legislature, the spirit of laws became different from what it had formerly been; it flowed from new principles; it was directed towards new objects; equality, order, the public good, and the redress of grievances, were phrases and ideas brought into use, and which grew to be familiar in the statutes and jurisprudence of the European nations. Almost all the efforts in favour of liberty in every country of Europe have been made by this new power in the legislature. In proportion as it rose to consideration and influence, the severity of the aristocratical spirit decreased; and the privileges of the people became gradually more extensive, as the ancient and exorbitant jurisdiction of the nobles was abridged.[42]

IV. The inhabitants of towns having been declared free by the charters of communities, that part of the people which resided in the country and was employed in agriculture began to recover liberty by enfranchisement. During the rigour of feudal government, as hath been already observed, the great body of the lower people was reduced to servitude. They were slaves fixed to the soil which they cultivated, and together with it were transferred from one proprietor to another, by sale or by conveyance. The spirit of feudal policy did not favour the enfranchisement of that order of men. It was an established maxim that no vassal could legally diminish the value of a fief, to the detriment of the lord from whom he had received it. In consequence of this, manumission by the authority of the immediate master was not valid; and, unless it was confirmed by the superior lord of whom he held, slaves belonging to the fief did not acquire a complete right to their liberty. Thus it became necessary to ascend through all the gradations of feudal holding to the king, the lord paramount.[43] A form of procedure so tedious and troublesome discouraged the practice of manumission. Domestic or personal slaves often obtained liberty from the humanity or beneficence of their masters, to whom they belonged in absolute property. The condition of slaves fixed to the soil was much more unalterable.

But the freedom and independence which one part of the people had obtained by the institution of communities inspired the other with the most ardent desire of acquiring the same privileges; and their superiors, sensible of the

[40] Pasquier, Recherches de la France, ap. 81, edit. Par., 1633.

[41] Pfeffel, Abrégé de l'Histoire et Droit d'Allemagne, pp. 408, 451.

[42] Note XIX.

[43] Etablissements de St. Louis, liv. ii. ch. 34.—Ordon., tom. i. p. 283, note (a).

various advantages which they had derived from their former concessions to their dependants, were less unwilling to gratify them by the grant of new immunities. The enfranchisement of slaves became more frequent; and the monarchs of France, prompted by necessity no less than by their inclination to reduce the power of the nobles, endeavoured to render it general. Louis X. and Philip the Long issued ordinances declaring "that as all men were by nature free born, and as their kingdom was called the kingdom of Franks, they determined that it should be so in reality as well as in name: therefore they appointed that enfranchisements should be granted throughout the whole kingdom, upon just and reasonable conditions."[44] These edicts were carried into immediate execution within the royal domain. The example of their sovereigns, together with the expectation of considerable sums which they might raise by this expedient, led many of the nobles to set their dependants at liberty; and servitude was gradually abolished in almost every province of the kingdom.[45] In Italy, the establishment of republican government in their great cities, the genius and maxims of which were extremely different from those of the feudal policy, together with the ideas of equality, which the progress of commerce had rendered familiar, gradually introduced the practice of enfranchising the ancient *predial* slaves. In some provinces of Germany, the persons who had been subject to this species of bondage were released; in others, the rigour of their state was mitigated. In England, as the spirit of liberty gained ground, the very name and idea of personal servitude, without any formal interposition of the legislature to prohibit it, was totally banished.

The effects of such a remarkable change in the condition of so great a part of the people could not fail of being considerable and extensive. The husbandman, master of his own industry, and secure of reaping for himself the fruits of his labour, became the farmer of the same fields where he had formerly been compelled to toil for the benefit of another. The odious names of master and of slave, the most mortifying and depressing of all distinctions to human nature, were abolished. New prospects opened, and new incitements to ingenuity and enterprise presented themselves, to those who were emancipated The expectation of bettering their fortune, as well as that of raising themselves to a more honourable condition, concurred in calling forth their activity and genius; and a numerous class of men, who formerly had no political existence and were employed merely as instruments of labour, became useful citizens, and contributed towards augmenting the force or riches of the society which adopted them as members.

V. The various expedients which were employed in order to introduce a more regular, equal, and vigorous administration of justice contributed greatly towards the improvement of society. What were the particular modes of dispensing justice, in their several countries, among the various barbarous nations which overran the Roman empire and took possession of its different provinces, cannot now be determined with certainty. We may conclude, from the form of government established among them, as well as from their ideas concerning the nature of society, that the authority of the magistrate was extremely limited, and the independence of individuals proportionally great. History and records, as far as these reach back, justify this conclusion, and represent the ideas and exercise of justice in all the countries of Europe as little different from those which must take place in the most simple state of civil life. To maintain the order and tranquillity of society by the regular execution of known laws; to inflict vengeance on crimes destructive of the peace and safety of individuals, by a prosecution carried on in the name and by the authority of

[44] Ordon., tom. i. pp. 583, 653.

[45] Note XX.

the community; to consider the punishment of criminals as a public example to deter others from violating the laws,—were objects of government little understood in theory, and less regarded in practice. The magistrate could hardly be said to hold the sword of justice; it was left in the hands of private persons. Resentment was almost the sole motive for prosecuting crimes; and to gratify that passion was considered as the chief end in punishing them. He who suffered the wrong was the only person who had a right to pursue the aggressor and to exact or to remit the punishment. From a system of judicial procedure so crude and defective that it seems to be scarcely compatible with the subsistence of civil society, disorder and anarchy flowed. Superstition concurred with this ignorance concerning the nature of government, in obstructing the administration of justice, or in rendering it capricious and unequal. To provide remedies for these evils, so as to give a more regular course to justice, was, during several centuries, one great object of political wisdom. The regulations for this purpose may be reduced to three general heads: to explain these, and to point out the manner in which they operated, is an important article in the history of society among the nations of Europe.

1. The first considerable step towards establishing an equal administration of justice was the abolishment of the right which individuals claimed of waging war with each other in their own name and by their own authority. To repel injuries, and to revenge wrongs, is no less natural to man than to cultivate friendship; and while society remains in its most simple state, the former is considered as a personal right, no less unalienable than the latter. Nor do men in this situation deem that they have a title to redress their own wrongs alone: they are touched with the injuries done to those with whom they are connected or in whose honour they are interested, and are no less prompt to avenge them. The savage, how imperfectly soever he may comprehend the principles of political union, feels warmly the sentiments of social affection and the obligations arising from the ties of blood. On the appearance of an injury or affront offered to his family or tribe, he kindles into rage, and pursues the authors of it with the keenest resentment. He considers it as cowardly to expect redress from any arm but his own, and as infamous to give up to another the right of determining what reparation he should accept, or with what vengeance he should rest satisfied.

The maxims and practice of all uncivilized nations with respect to the prosecution and punishment of offenders, particularly those of the ancient Germans, and other barbarians who invaded the Roman empire, are perfectly conformable to these ideas.[46] While they retained their native simplicity of manners, and continued to be divided into small tribes or societies, the defects in this imperfect system of criminal jurisprudence (if it merits that name) were less sensibly felt. When they came to settle in the extensive provinces which they had conquered, and to form themselves into great monarchies, when new objects of ambition presenting themselves increased both the number and the violence of their dissensions, they ought to have adopted new maxims concerning the redress of injuries, and to have regulated by general and equal laws that which they formerly left to be directed by the caprice of private passion. But fierce and haughty chieftains, accustomed to avenge themselves on such as had injured them, did not think of relinquishing a right which they considered as a privilege of their order and a mark of their independence. Laws enforced by the authority of princes and magistrates who possessed little power commanded no great degree of reverence. The administration of justice among rude, illiterate people was not so accurate, or decisive, or uniform,

[46] Tacit. de Mor. German., cap. 21.—Vell. Paterc., lib. ii. c. 118.

as to induce men to submit implicitly to its determinations. Every offended baron buckled on his armour and sought redress at the head of his vassals. His adversary met him in like hostile array. Neither of them appealed to impotent laws which could afford them no protection; neither of them would submit points, in which their honour and their passions were warmly interested, to the slow determination of a judicial inquiry. Both trusted to their swords for the decision of the contest. The kindred and dependants of the aggressor, as well as the defender, were involved in the quarrel. They had not even the liberty of remaining neutral. Such as refused to act in concert with the party to which they belonged were not only exposed to infamy, but subjected to legal penalties.

The different kingdoms of Europe were torn and afflicted, during several centuries, by intestine wars, excited by private animosities, and carried on with all the rage natural to men of fierce manners and of violent passions. The estate of every baron was a kind of independent territory, disjoined from those around it, and the hostilities between them seldom ceased. The evil became so inveterate and deep-rooted that the form and laws of private war were ascertained, and regulations concerning it made a part in the system of jurisprudence,[47] in the same manner as if this practice had been founded in some natural right of humanity, or in the original constitution of civil society.

So great was the disorder, and such the calamities, which these perpetual hostilities occasioned, that various efforts were made to wrest from the nobles this pernicious privilege. It was the interest of every sovereign to abolish a practice which almost annihilated his authority. Charlemagne prohibited it by an express law, as an invention of the Devil to destroy the order and happiness of society;[48] but the reign of one monarch, however vigorous and active, was too short to extirpate a custom so firmly established. Instead of enforcing this prohibition, his feeble successors durst venture on nothing more than to apply palliatives. They declared it unlawful for any person to commence war until he had sent a formal defiance to the kindred and dependants of his adversary; they ordained that, after the commission of the trespass or crime which gave rise to a private war, forty days must elapse before the person injured should attack the vassals of his adversary; they enjoined all persons to suspend their private animosities and to cease from hostilities when the king was engaged in any war against the enemies of the nation. The Church co-operated with the civil magistrate, and interposed its authority, in order to extirpate a practice so repugnant to the spirit of Christianity. Various councils issued decrees prohibiting all private wars, and denounced the heaviest anathemas against such as should disturb the tranquillity of society by claiming or exercising that barbarous right. The aid of religion was called in to combat and subdue the ferocity of the times. The Almighty was said to have manifested, by visions and revelations to different persons, his disapprobation of that spirit of revenge which armed one part of his creatures against the other. Men were required, in the name of God, to sheathe their swords, and to remember the sacred ties which united them as Christians and as members of the same society. But this junction of civil and ecclesiastical authority, though strengthened by everything most apt to alarm and to overawe the credulous spirit of those ages, produced no other effect than some temporary suspension of hostilities, and a cessation from war on certain days and seasons consecrated to the more solemn acts of devotion. The nobles continued to assert this dangerous privilege; they refused to obey some of the

[47] Beaumanoir, Coustumes de Beauvoisis, ch. 59, et les notes de Thaumassière, p. 447.

[48] Capitul. A.D. 801, edit. Baluz., vol. i. p. 371.

laws calculated to annul or circumscribe it; they eluded others; they petitioned, they remonstrated, they struggled for the right of private war, as the highest and most honourable distinction of their order. Even so late as the fourteenth century we find the nobles in several provinces of France contending for their ancient method of terminating their differences by the sword, in preference to that of submitting them to the decision of any judge. The final abolition of this practice in that kingdom and the other countries in which it prevailed, is not to be ascribed so much to the force of statutes and decrees, as to the gradual increase of the royal authority and to the imperceptible progress of juster sentiments concerning government, order, and public security.[49]

2. The prohibition of the form of trial by judicial combat was another considerable step towards the introduction of such regular government as secured public order and private tranquillity. As the right of private war left many of the quarrels among individuals to be decided, like those between nations, by arms, the form of trial by judicial combat, which was established in every country of Europe, banished equity from courts of justice, and rendered chance or force the arbiter of their determinations. In civilized nations, all transactions of any importance are concluded in writing. The exhibition of the deed or instrument is full evidence of the fact, and ascertains with precision what each party has stipulated to perform. But among a rude people, when the arts of reading and writing were such uncommon attainments that to be master of either entitled a person to the appellation of a clerk or learned man, scarcely anything was committed to writing but treaties between princes, their grants and charters to their subjects, or such transactions between private parties as were of extraordinary consequence or had an extensive effect. The greater part of affairs in common life and business was carried on by verbal contracts or promises. This, in many civil questions, not only made it difficult to bring proof sufficient to establish any claim, but encouraged falsehood and fraud, by rendering them extremely easy. Even in criminal cases, where a particular fact must be ascertained or an accusation must be disproved, the nature and effect of legal evidence were little understood by barbarous nations. To define with accuracy that species of evidence which a court had reason to expect, to determine when it ought to insist on positive proof and when it should be satisfied with a proof from circumstances, to compare the testimony of discordant witnesses, and to fix the degree of credit due to each, were discussions too intricate and subtile for the jurisprudence of ignorant ages. In order to avoid encumbering themselves with these, a more simple form of procedure was introduced into courts as well civil as criminal. In all cases where the notoriety of the fact did not furnish the clearest and most direct evidence, the person accused, or he against whom an action was brought, was called legally, or offered voluntarily, to purge himself by oath; and upon his declaring his innocence he was instantly acquitted.[50] This absurd practice effectually screened guilt and fraud from detection and punishment, by rendering the temptation to perjury so powerful that it was not easy to resist it. The pernicious effects of it were sensibly felt; and, in order to guard against them, the laws ordained that oaths should be administered with great solemnity, and accompanied with every circumstance which could inspire religious reverence or superstitious terror.[51] This, however, proved a feeble remedy: these ceremonious rites became familiar, and their impression on the imagination gradually diminished; men who could venture to disregard truth

[49] Note XXI.

[50] Leg. Burgund., tit. 8 et 45.—Leg. Alleman., tit. 89.—Leg. Baiwar., tit. 8, § 5, 2, etc.

[51] Du Cange, Glossar., voc. *Juramentum*, vol. iii. p. 1607, edit. Benedict.

were not apt to startle at the solemnities of an oath. Their observation of this put legislators upon devising a new expedient for rendering the purgation by oath more certain and satisfactory. They required the person accused to appear with a certain number of freemen, his neighbours or relations, who corroborated the oath which he took, by swearing that they believed all that he had uttered to be true. These were called *compurgators*, and their number varied according to the importance of the subject in dispute, or the nature of the crime with which a person was charged.[52] In some cases the concurrence of no less than three hundred of these auxiliary witnesses was requisite to acquit the person accused.[53] But even this device was found to be ineffectual. It was a point of honour with every man in Europe, during several ages, not to desert the chief on whom he depended, and to stand by those with whom the ties of blood connected him. Whoever then was bold enough to violate the laws was sure of devoted adherents, willing to abet and eager to serve him in whatever manner he required. The formality of calling compurgators proved an apparent, not a real, security against falsehood and perjury; and the sentences of courts, while they continued to refer every point in question to the oath of the defendant, became so flagrantly iniquitous as to excite universal indignation against this method of procedure.[54]

Sensible of these defects, but strangers to the manner of correcting them or of introducing a more proper form, our ancestors, as an infallible method of discovering truth and of guarding against deception, appealed to Heaven, and referred every point in dispute to be determined, as they imagined, by the decisions of unerring wisdom and impartial justice. The person accused, in order to prove his innocence, submitted to trial, in certain cases, either by plunging his arm in boiling water, or by lifting a red-hot iron with his naked hand, or by walking barefoot over burning ploughshares, or by other experiments equally perilous and formidable. On other occasions he challenged his accuser to fight him in single combat. All these various forms of trial were conducted with many devout ceremonies; the ministers of religion were employed; the Almighty was called upon to interpose for the manifestation of guilt and for the protection of innocence; and whoever escaped unhurt or came off victorious was pronounced to be acquitted by the *judgment of God*.[55]

Among all the whimsical and absurd institutions which owe their existence to the weakness of human reason, this, which submitted questions that affected the property, the reputation, and the lives of men to the determination of chance or of bodily strength and address, appears to be the most extravagant and preposterous. There were circumstances, however, which led the nations of Europe to consider this equivocal mode of deciding any point in contest as a direct appeal to Heaven and a certain method of discovering its will. As men are unable to comprehend the manner in which the Almighty carries on the government of the universe, by equal, fixed, and general laws, they are apt to imagine that in every case which their passions or interest render important in their own eyes the Supreme Ruler of all ought visibly to display his power in vindicating innocence and punishing guilt. It requires no inconsiderable degree of science and philosophy to correct this popular error. But the sentiments prevalent in Europe during the Dark Ages, instead of correcting, strengthened it. Religion, for several centuries, consisted chiefly in believing the legendary history of those saints whose names

[52] Du Cange, Glossar., vol. iii. p. 1599.

[53] Spelman, Glossar., voc. *Assath.*—Gregor. Turon., Hist., lib. viii. c. 9.

[54] Leg. Longobard., lib. ii. tit. 55, § 34.

[55] Murat. Dissertatio de Judiciis Dei, Antiquit. Ital., vol. iii. p. 612.

crowd and disgrace the Romish calendar. The fabulous tales concerning their miracles had been declared authentic by the bulls of popes and the decrees of councils; they made the great subjects of the instructions which the clergy offered to the people, and were received by them with implicit credulity and admiration. By attending to these, men were accustomed to believe that the established laws of nature might be violated on the most frivolous occasions, and were taught to look rather for particular and extraordinary acts of power under the divine administration than to contemplate the regular progress and execution of a general plan. One superstition prepared the way for another; and whoever believed that the Supreme Being had interposed miraculously on those trivial occasions mentioned in legends could not but expect his intervention in matters of greater importance, when solemnly referred to his decision.

With this superstitious opinion the martial spirit of Europe, during the Middle Ages, concurred in establishing the mode of trial by judicial combat. To be ready to maintain with his sword whatever his lips had uttered was the first maxim of honour with every gentleman. To assert their own rights by force of arms, to inflict vengeance on those who had injured or affronted them, were the distinction and pride of high-spirited nobles. The form of trial by combat, coinciding with this maxim, flattered and gratified these passions. Every man was the guardian of his own honour and of his own life; the justice of his cause, as well as his future reputation, depended on his own courage and prowess. This mode of decision was considered, accordingly, as one of the happiest efforts of wise policy; and as soon as it was introduced, all the forms of trial, by fire or water, and other superstitious experiments, fell into disuse, or were employed only in controversies between persons of inferior rank. As it was the privilege of a gentleman to claim the trial by combat, it was quickly authorized over all Europe, and received in every country with equal satisfaction. Not only questions concerning uncertain or contested facts, but general and abstract points in law, were determined by the issue of a combat; and the latter was deemed a method of discovering truth more liberal, as well as more satisfactory, than that by investigation and argument. Not only might parties whose minds were exasperated by the eagerness and the hostility of opposition defy their antagonist and require him to make good his charge or to prove his innocence with his sword, but witnesses who had no interest in the issue of the question, though called to declare the truth by laws which ought to have afforded them protection, were equally exposed to the danger of a challenge, and equally bound to assert the veracity of their evidence by dint of arms. To complete the absurdities of this military jurisprudence, even the character of a judge was not sacred from its violence. Any one of the parties might interrupt a judge when about to deliver his opinion; might accuse him of iniquity and corruption in the most reproachful terms, and, throwing down his gauntlet, might challenge him to defend his integrity in the field; nor could he, without infamy, refuse to accept the defiance, or decline to enter the lists against such an adversary.

Thus the form of trial by combat, like other abuses, spread gradually, and extended to all persons, and almost to all cases. Ecclesiastics, women, minors, superannuated and infirm persons, who could not with decency or justice be compelled to take arms or to maintain their own cause, were obliged to produce champions, who offered from affection, or were engaged by rewards, to fight their battles. The solemnities of a judicial combat were such as were natural in an action which was considered both as a formal appeal to God and as the final decision of questions of the highest moment. Every circumstance

relating to them was regulated by the edicts of princes, and explained in the comments of lawyers, with a minute and even superstitious accuracy. Skill in these laws and rights was frequently the only science of which warlike nobles boasted, or which they were ambitious to attain.[56]

By this barbarous custom, the natural course of proceeding, both in civil and criminal questions, was entirely perverted. Force usurped the place of equity in courts of judicature, and justice was banished from her proper mansion. Discernment, learning, integrity, were qualities less necessary to a judge than bodily strength and dexterity in the use of arms. Daring courage and superior vigour or address were of more moment towards securing the favourable issue of a suit than the equity of a cause or the clearness of the evidence. Men, of course, applied themselves to cultivate the talents which they found to be of greatest utility. As strength of body and address in arms were no less requisite in those lists which they were obliged to enter in defence of their private rights, than in the field of battle, where they met the enemies of their country, it became the great object of education, as well as the chief employment of life, to acquire these martial accomplishments. The administration of justice, instead of accustoming men to listen to the voice of equity or to reverence the decisions of law, added to the ferocity of their manners, and taught them to consider force as the great arbiter of right and wrong.

These pernicious effects of the trial by combat were so obvious that they did not altogether escape the view of the unobserving age in which it was introduced. The clergy, from the beginning, remonstrated against it, as repugnant to the spirit of Christianity and subversive of justice and order.[57] But the maxims and passions which favoured it had taken such hold of the minds of men that they disregarded admonitions and censures which on other occasions would have struck them with terror. The evil was too great and inveterate to yield to that remedy, and, continuing to increase, the civil power at length found it necessary to interpose. Conscious, however, of their own limited authority, monarchs proceeded with caution, and their first attempts to restrain or to set any bounds to this practice were extremely feeble. One of the earliest restrictions of this practice which occurs in the history of Europe is that of Henry I. of England. It extended no farther than to prohibit the trial by combat in questions concerning property of small value.[58] Louis VII. of France imitated his example, and issued an edict to the same effect.[59] St. Louis, whose ideas as a legislator were far superior to those of his age, endeavoured to introduce a more perfect jurisprudence, and to substitute the trial by evidence in place of that by combat; but his regulations with respect to this were confined to his own domains; for the great vassals of the crown possessed such independent authority, and were so fondly attached to the ancient practice, that he had not power to venture to extend it to the whole kingdom. Some barons voluntarily adopted his regulations. The spirit of courts of justice became averse to the mode of decision by combat, and discouraged it on every occasion. The nobles, nevertheless, thought it so honourable to depend for the security of their lives and fortunes on their own courage alone, and contended with so much vehemence for the preservation of this favourite privilege of their order, that the successors of St. Louis, unable to oppose and afraid of offending such powerful subjects, were

[56] See a curious discourse concerning the laws of judicial combat, by Thomas of Woodstock, duke of Gloucester, uncle to Richard II., in Spelman's Glossar., voc. *Campus*.

[57] Du Cange, Glossar., voc. *Duellum*, vol. ii. p. 1675.

[58] Brussel, Usage des Fiefs, vol. ii. p. 962.

[59] Ordon., tom. i. p. 16.

obliged not only to tolerate but to authorize the practice which he had attempted to abolish.[60] In other countries of Europe, efforts equally zealous were employed to maintain the established custom, and similar concessions were extorted from their respective sovereigns. It continued, however, to be an object of policy with every monarch of abilities or vigour, to explode the trial by combat; and various edicts were issued for this purpose. But the observation which was made concerning the right of private war is equally applicable to the mode of trial under review. No custom, how absurd soever it may be, if it has subsisted long, or derived its source from the manners and prejudices of the age in which it prevails, was ever abolished by the bare promulgation of laws and statutes. The sentiments of the people must change, or some new power sufficient to counteract the prevalent custom must be introduced. Such a change accordingly took place in Europe, as science gradually increased and society advanced towards more perfect order. In proportion as the prerogative of princes extended and came to acquire new force, a power interested in suppressing every practice favourable to the independence of the nobles was introduced. The struggle, nevertheless, subsisted for several centuries: sometimes the new regulations and ideas seemed to gain ground; sometimes ancient habits recurred; and though, upon the whole, the trial by combat went more and more into disuse, yet instances of it occur as late as the sixteenth century, in the history both of France and of England. In proportion as it declined, the regular administration of justice was restored, the proceedings of courts were directed by known laws, the study of these became an object of attention to judges, and the people of Europe advanced fast towards civility when this great cause of the ferocity of their manners was removed.[61]

3. By authorizing the right of appeal from the courts of the barons to those of the king, and subjecting the decisions of the former to the review of the latter, a new step, not less considerable than those which I have already mentioned, was taken towards establishing the regular, consistent, and vigorous administration of justice. Among all the encroachments of the feudal nobles on the prerogative of their monarchs, their usurping the administration of justice with supreme authority, both in civil and criminal causes, within the precincts of their own estates, was the most singular. In other nations, subjects have contended with their sovereigns, and have endeavoured to extend their own power and privileges; but in the history of their struggles and pretensions we discover nothing similar to this right which the feudal barons claimed and obtained. It must have been something peculiar in their genius and manners that suggested this idea and prompted them to insist on such a claim. Among the rude people who conquered the various provinces of the Roman empire and established new kingdoms there, the passion of resentment, too impetuous to bear control, was permitted to remain almost unrestrained by the authority of laws. The person offended, as has been observed, retained not only the right of prosecuting but of punishing his adversary. To him it belonged to inflict such vengeance as satiated his rage, or to accept of such satisfaction as appeased it. But while fierce barbarians continued to be the sole judges in their own cause, their enmities were implacable and immortal: they set no bounds either to the degree of their vengeance or to the duration of their resentment. The excesses which this occasioned proved so destructive of peace and order in society as to render it necessary to devise some remedy. At first recourse was had to arbitrators, who by persuasion or entreaty prevailed on the party offended to accept of a fine or composition from the aggressor and

[60] Ordon., tom. i. pp. 328, 390, 435.

[61] Note XXII.

to drop all farther prosecution. But, as submission to persons who had no legal or magisterial authority was altogether voluntary, it became necessary to establish judges, with power sufficient to enforce their own decisions. The leader whom they were accustomed to follow and to obey, whose courage they respected and in whose integrity they placed confidence, was the person to whom a martial people naturally committed this important prerogative. Every chieftain was the commander of his tribe in war, and their judge in peace. Every baron led his vassals to the field, and administered justice to them in his hall. The high-spirited dependants would not have recognized any other authority or have submitted to any other jurisdiction. But in times of turbulence and violence the exercise of this new function was attended not only with trouble, but with danger. No person could assume the character of a judge if he did not possess power sufficient to protect the one party from the violence of private revenge and to compel the other to accept of such reparation as he enjoined. In consideration of the extraordinary efforts which this office required, judges, besides the fine which they appointed to be paid as a compensation to the person or family who had been injured, levied an additional sum as a recompense for their own labour; and in all the feudal kingdoms the latter was not only as precisely ascertained, but as regularly exacted, as the former.

Thus, by the natural operation of circumstances peculiar to the manners or political state of the feudal nations, separate and territorial jurisdictions came not only to be established in every kingdom, but were established in such a way that the interest of the barons concurred with their ambition in maintaining and extending them. It was not merely a point of honour with the feudal nobles to dispense justice to their vassals, but from the exercise of that power arose one capital branch of their revenue, and the emoluments of their courts were frequently the main support of their dignity. It was with infinite zeal that they asserted and defended this high privilege of their order. By this institution, however, every kingdom in Europe was split into as many separate principalities as it contained powerful barons. Their vassals, whether in peace or in war, were hardly sensible of an authority but that of their immediate superior lord. They felt themselves subject to no other command. They were amenable to no other jurisdiction. The ties which linked together these smaller confederacies became close and firm; the bonds of public union relaxed, or were dissolved. The nobles strained their invention in devising regulations which tended to ascertain and perpetuate this distinction. In order to guard against any appearance of subordination in their courts to those of the crown, they frequently constrained their monarchs to prohibit the royal judges from entering their territories or from claiming any jurisdiction there; and if, either through mistake or from the spirit of encroachment, any royal judge ventured to extend his authority to the vassals of a baron, they might plead their right of exemption, and the lord of whom they held could not only rescue them out of his hands, but was entitled to legal reparation for the injury and affront offered to him. The jurisdiction of the royal judges scarcely reached beyond the narrow limits of the king's demesnes. Instead of a regular gradation of courts, all acknowledging the authority of the same general laws and looking up to these as the guides of their decisions, there were in every feudal kingdom a number of independent tribunals, the proceedings of which were directed by local customs and contradictory forms. The collision of jurisdiction among these different courts often retarded the execution of justice: the variety and caprice of their modes of procedure must have for ever kept the administration of it from attaining any degree of uniformity or perfection.

All the monarchs of Europe perceived these encroachments on their jurisdiction, and bore them with impatience. But the usurpations of the nobles were so firmly established, and the danger of endeavouring to overturn them by open force was so manifest, that kings were obliged to remain satisfied with attempts to undermine them. Various expedients were employed for this purpose, each of which merits attention, as they mark the progress of law and equity in the several kingdoms of Europe. At first, princes endeavoured to circumscribe the jurisdiction of the barons, by contending that they ought to take cognizance only of smaller offences, reserving those of greater moment, under the appellation of *pleas of the crown* and *royal causes*, to be tried in the king's courts. This, however, affected only the barons of inferior note; the more powerful nobles scorned such a distinction, and not only claimed unlimited jurisdiction, but obliged their sovereigns to grant them charters conveying or recognizing this privilege in the most ample form. The attempt, nevertheless, was productive of some good consequences, and paved the way for more. It turned the attention of men towards a jurisdiction distinct from that of the baron whose vassals they were; it accustomed them to the pretensions of superiority which the crown claimed over territorial judges, and taught them, when oppressed by their own superior lord, to look up to their sovereign as their protector. This facilitated the introduction of appeals, by which princes brought the decisions of the barons' courts under the review of the royal judges. While trial by combat subsisted in full vigour, no point decided according to that mode could be brought under the review of another court. It had been referred to the judgment of God; the issue of battle had declared his will; and it would have been impious to have called in question the equity of the divine decision. But as soon as that barbarous custom began to fall into disuse, princes encouraged the vassals of the barons to sue for redress by appealing to the royal courts. The progress of this practice, however, was slow and gradual. The first instances of appeals were on account of *the delay* or *the refusal of justice* in the barons' court; and, as these were countenanced by the ideas of subordination in the feudal constitution, the nobles allowed them to be introduced without much opposition. But when these were followed by appeals on account of *the injustice* or *iniquity of the sentence*, the nobles then began to be sensible that if this innovation became general the shadow of power alone would remain in their hands, and all real authority and jurisdiction would centre in those courts which possessed the right of review. They instantly took the alarm, remonstrated against the encroachment, and contended boldly for their ancient privileges. But the monarchs in the different kingdoms of Europe pursued their plan with steadiness and prudence. Though forced to suspend their operations on some occasions, and seemingly to yield when any formidable confederacy of their vassals united against them, they resumed their measures as soon as they observed the nobles to be remiss or feeble, and pushed them with vigour. They appointed the royal courts, which originally were ambulatory and irregular with respect to their times of meeting, to be held in a fixed place and at stated seasons. They were solicitous to name judges of more distinguished abilities than such as usually presided in the courts of barons. They added dignity to their character and splendour to their assemblies. They laboured to render their forms regular and their decrees consistent. Such judicatories became, of course, the objects of public confidence as well as veneration. The people, relinquishing the tribunals of their lords, were eager to bring every subject of contest under the more equal and discerning eye of those whom their sovereign had chosen to give judgment in his name. Thus kings became once

more the heads of the community, and the dispensers of justice to their subjects. The barons, in some kingdoms, ceased to exercise their right of jurisdiction, because it sunk into contempt; in others it was circumscribed by such regulations as rendered it innocent, or it was entirely abolished by express statutes. Thus the administration of justice, taking its rise from one source and following one direction, held its course in every state with more uniformity and with greater force.[62]

VI. The forms and maxims of the canon law, which were become universally respectable, from their authority in the spiritual courts, contributed not a little towards those improvements in jurisprudence which I have enumerated. If we consider the canon law politically, and view it either as a system framed on purpose to assist the clergy in usurping powers and jurisdiction no less repugnant to the nature of their function than inconsistent with the order of government, or as the chief instrument in establishing the dominion of the popes, which shook the throne and endangered the liberties of every kingdom in Europe, we must pronounce it one of the most formidable engines ever formed against the happiness of civil society. But if we contemplate it merely as a code of laws respecting the rights and property of individuals, and attend only to the civil effects of its decisions concerning these, it will appear in a different and a much more favourable light. In ages of ignorance and credulity the ministers of religion are the objects of superstitious veneration. When the barbarians who overran the Roman empire first embraced the Christian faith, they found the clergy in possession of considerable power; and they naturally transferred to those new guides the profound submission and reverence which they were accustomed to yield to the priests of that religion which they had forsaken. They deemed their persons to be equally sacred with their function, and would have considered it as impious to subject them to the profane jurisdiction of the laity. The clergy were not blind to these advantages which the weakness of mankind afforded them. They established courts, in which every question relating to their own character, their function, or their property, was tried. They pleaded and obtained an almost total exemption from the authority of civil judges. Upon different pretexts, and by a multiplicity of artifices, they communicated this privilege to so many persons, and extended their jurisdiction to such a variety of cases, that the greater part of those affairs which give rise to contest and litigation was drawn under the cognizance of the spiritual courts.

But, in order to dispose the laity to suffer these usurpations without murmur or opposition, it was necessary to convince them that the administration of justice would be rendered more perfect by the establishment of this new jurisdiction. This was not a difficult undertaking at that period, when ecclesiastics carried on their encroachments with the greatest success. That scanty portion of science which served to guide men in the ages of darkness was almost entirely engrossed by the clergy. They alone were accustomed to read, to inquire, and to reason. Whatever knowledge of ancient jurisprudence had been preserved, either by tradition, or in such books as had escaped the destructive rage of barbarians, was possessed by them. Upon the maxims of that excellent system they founded a code of laws consonant to the great principles of equity. Being directed by fixed and known rules, the forms of their courts were ascertained, and their decisions became uniform and consistent. Nor did they want authority sufficient to enforce their sentences. Excommunication and other ecclesiastical censures were punishments more formidable than any that civil judges could inflict in support of their decrees.

[62] Note XXIII.

It is not surprising, then, that ecclesiastical jurisprudence should become such an object of admiration and respect that exemption from civil jurisdiction was courted as a privilege and conferred as a reward. It is not surprising that, even to a rude people, the maxims of the canon law should appear more equal and just than those of the ill-digested jurisprudence which directed all proceedings in civil courts. According to the latter, the differences between contending barons were terminated, as in a state of nature, by the sword; according to the former, every matter was subjected to the decision of laws. The one, by permitting judicial combats, left chance and force to be arbiters of right or wrong, of truth or falsehood; the other passed judgment with respect to these by the maxims of equity and the testimony of witnesses. Any error or iniquity in a sentence pronounced by a baron to whom feudal jurisdiction belonged was irremediable, because originally it was subject to the review of no superior tribunal; the ecclesiastical law established a regular gradation of courts, through all which a cause might be carried by appeal, until it was determined by that authority which was held to be supreme in the Church. Thus the genius and principles of the canon law prepared men for approving those three great alterations in the feudal jurisprudence which I have mentioned. But it was not with respect to these points alone that the canon law suggested improvements beneficial to society. Many of the regulations now deemed the barriers of personal security or the safeguards of private property are contrary to the spirit and repugnant to the maxims of the civil jurisprudence known in Europe during several centuries, and were borrowed from the rules and practice of the ecclesiastical courts. By observing the wisdom and equity of the decisions in these courts, men began to perceive the necessity either of deserting the martial tribunals of the barons, or of attempting to reform them.[63]

VII. The revival of the knowledge and study of the Roman law co-operated with the causes which I have mentioned in introducing more just and liberal ideas concerning the nature of government and the administration of justice. Among the calamities which the devastations of the barbarians who broke in upon the empire brought upon mankind, one of the greatest was their overturning the system of Roman jurisprudence, the noblest monument of the wisdom of that great people, formed to subdue and to govern the world. The laws and regulations of a civilized community were repugnant to the manners and ideas of these fierce invaders. They had respect to objects of which a rude people had no conception, and were adapted to a state of society with which they were entirely unacquainted. For this reason, wherever they settled, the Roman jurisprudence soon sunk into oblivion, and lay buried for some centuries under the load of those institutions which the inhabitants of Europe dignified with the name of laws. But towards the middle of the twelfth century a copy of Justinian's Pandects was accidentally discovered in Italy. By that time the state of society was so far advanced, and the ideas of men so much enlarged and improved by the occurrences of several centuries during which they had continued in political union, that they were struck with admiration of a system which their ancestors could not comprehend. Though they had not hitherto attained such a degree of refinement as to acquire from the ancients a relish for true philosophy or speculative science, though they were still insensible in a great degree to the beauty and elegance of classical composition, they were sufficiently qualified to judge with respect to the merit of their system of laws, in which all the points most interesting to mankind were settled with discernment, precision, and equity. All men of letters studied

[63] Note XXIV.

this new science with eagerness; and within a few years after the discovery of the Pandects, professors of civil law were appointed, who taught it publicly in most countries of Europe.

The effects of having such an excellent model to study and to imitate were immediately perceived. Men, as soon as they were acquainted with fixed and general laws, perceived the advantage of them, and became impatient to ascertain the principles and forms by which judges should regulate their decisions. Such was the ardour with which they carried on an undertaking of so great importance to society that before the close of the twelfth century the feudal law was reduced into a regular system; the code of canon law was enlarged and methodized; and the loose, uncertain customs of different provinces or kingdoms were collected and arranged with an order and accuracy acquired from the knowledge of Roman jurisprudence. In some countries of Europe the Roman law was adopted as subsidiary to their own municipal law, and all cases to which the latter did not extend were decided according to the principles of the former. In others, the maxims as well as forms of Roman jurisprudence mingled imperceptibly with the laws of the country, and had a powerful, though less sensible, influence in improving and perfecting them.[64]

These various improvements in the system of jurisprudence and administration of justice occasioned a change in manners, of great importance and of extensive effect. They gave rise to a distinction of professions; they obliged men to cultivate different talents, and to aim at different accomplishments, in order to qualify themselves for the various departments and functions which became necessary in society.[65] Among uncivilized nations there is but one profession honourable, that of arms. All the ingenuity and vigour of the human mind are exerted in acquiring military skill or address. The functions of peace are few and simple, and require no particular course of education or of study as a preparation for discharging them. This was the state of Europe during several centuries. Every gentleman, born a soldier, scorned any other occupation; he was taught no science but that of war; even his exercises and pastimes were feats of martial prowess. Nor did the judicial character, which persons of noble birth were alone entitled to assume, demand any degree of knowledge beyond that which such untutored soldiers possessed. To recollect a few traditionary customs which time had confirmed and rendered respectable, to mark out the lists of battle with due formality, to observe the issue of the combat, and to pronounce whether it had been conducted according to the laws of arms, included everything that a baron, who acted as a judge, found it necessary to understand.

But when the forms of legal proceedings were fixed, when the rules of decision were committed to writing and collected into a body, law became a science, the knowledge of which required a regular course of study, together with long attention to the practice of courts. Martial and illiterate nobles had neither leisure nor inclination to undertake a task so laborious, as well as so foreign from all the occupations which they deemed entertaining, or suitable to their rank. They gradually relinquished their places in courts of justice, where their ignorance exposed them to contempt. They became weary of attending to the discussion of cases which grew too intricate for them to comprehend. Not only the judicial determination of points which were the subject of controversy, but the conduct of all legal business and transactions, was committed to persons trained by previous study and application to the knowledge of law. An order of men to whom their fellow-citizens had daily recourse for advice, and to whom they looked up for decision in their most important con-

[64] Note XXV. [65] Dr. Fergusson's Essay on the History of Civil Society, part iv. sect. i.

cerns, naturally acquired consideration and influence in society. They were advanced to honours which had been considered hitherto as the peculiar rewards of military virtue. They were intrusted with offices of the highest dignity and most extensive power. Thus another profession than that of arms came to be introduced among the laity, and was reputed honourable. The functions of civil life were attended to. The talents requisite for discharging them were cultivated. A new road was opened to wealth and eminence. The arts and virtues of peace were placed in their proper rank and received their due recompense.[66]

VIII. While improvements so important with respect to the state of society and the administration of justice gradually made progress in Europe, sentiments more liberal and generous had begun to animate the nobles. These were inspired by the spirit of chivalry, which, though considered, commonly, as a wild institution, the effect of caprice and the source of extravagance, arose naturally from the state of society at that period, and had a very serious influence in refining the manners of the European nations. The feudal state was a state of almost perpetual war, rapine, and anarchy, during which the weak and unarmed were exposed to insults or injuries. The power of the sovereign was too limited to prevent these wrongs, and the administration of justice too feeble to redress them. The most effectual protection against violence and oppression was often found to be that which the valour and generosity of private persons afforded. The same spirit of enterprise which had prompted so many gentlemen to take arms in defence of the oppressed pilgrims in Palestine incited others to declare themselves the patrons and avengers of injured innocence at home. When the final reduction of the Holy Land under the dominion of infidels put an end to these foreign expeditions, the latter was the only employment left for the activity and courage of adventurers. To check the insolence of overgrown oppressors, to rescue the helpless from captivity, to protect or to avenge women, orphans, and ecclesiastics, who could not bear arms in their own defence, to redress wrongs, and to remove grievances, were deemed acts of the highest prowess and merit. Valour, humanity, courtesy, justice, honour, were the characteristic qualities of chivalry. To these was added religion, which mingled itself with every passion and institution during the Middle Ages, and, by infusing a large proportion of enthusiastic zeal, gave them such force as carried them to romantic excess. Men were trained to knighthood by a long previous discipline; they were admitted into the order by solemnities no less devout than pompous; every person of noble birth courted that honour; it was deemed a distinction superior to royalty; and monarchs were proud to receive it from the hands of private gentlemen.

This singular institution, in which valour, gallantry, and religion were so strangely blended, was wonderfully adapted to the taste and genius of martial nobles; and its effects were soon visible in their manners. War was carried on with less ferocity, when humanity came to be deemed the ornament of knighthood no less than courage. More gentle and polished manners were introduced, when courtesy was recommended as the most amiable of knightly virtues. Violence and oppression decreased, when it was reckoned meritorious to check and to punish them. A scrupulous adherence to truth, with the most religious attention to fulfil every engagement, became the distinguishing characteristic of a gentleman, because chivalry was regarded as the school of honour and inculcated the most delicate sensibility with respect to those points. The admiration of these qualities, together with the high distinctions

[66] Note XXVI.

and prerogatives conferred on knighthood in every part of Europe, inspired persons of noble birth on some occasions with a species of military fanaticism, and led them to extravagant enterprises. But they deeply imprinted on their minds the principles of generosity and honour. These were strengthened by everything that can affect the senses or touch the heart. The wild exploits of those romantic knights who sallied forth in quest of adventures are well known, and have been treated with proper ridicule. The political and permanent effects of the spirit of chivalry have been less observed. Perhaps the humanity which accompanies all the operations of war, the refinements of gallantry, and the point of honour, the three chief circumstances which distinguish modern from ancient manners, may be ascribed in a great measure to this institution, which has appeared whimsical to superficial observers, but by its effects has proved of great benefit to mankind. The sentiments which chivalry inspired had a wonderful influence on manners and conduct during the twelfth, thirteenth, fourteenth, and fifteenth centuries. They were so deeply rooted that they continued to operate after the vigour and reputation of the institution itself began to decline. Some considerable transactions recorded in the following history resemble the adventurous exploits of chivalry rather than the well-regulated operations of sound policy. Some of the most eminent personages whose characters will be delineated were strongly tinctured with this romantic spirit. Francis I. was ambitious to distinguish himself by all the qualities of an accomplished knight, and endeavoured to imitate the enterprising genius of chivalry in war, as well as its pomp and courtesy during peace. The fame which the French monarch acquired by these splendid actions so far dazzled his more temperate rival that he departed on some occasions from his usual prudence and moderation, and emulated Francis in deeds of prowess or of gallantry.[67]

IX. The progress of science and the cultivation of literature had considerable effect in changing the manners of the European nations and introducing that civility and refinement by which they are now distinguished. At the time when their empire was overturned, the Romans, though they had lost that correct taste which has rendered the productions of their ancestors standards of excellence and models of imitation for succeeding ages, still preserved their love of letters and cultivated the arts with great ardour. But rude barbarians were so far from being struck with any admiration of these unknown accomplishments that they despised them. They were not arrived at that state of society when those faculties of the human mind which have beauty and elegance for their objects begin to unfold themselves. They were strangers to most of those wants and desires which are the parents of ingenious invention; and, as they did not comprehend either the merit or utility of the Roman arts, they destroyed the monuments of them, with an industry not inferior to that which their posterity have since studied to preserve or to recover them. The convulsions occasioned by the settlement of so many unpolished tribes in the empire, the frequent as well as violent revolutions in every kingdom which they established, together with the interior defects in the form of government which they introduced, banished security and leisure, prevented the growth of taste or the culture of science, and kept Europe, during several centuries, in that state of ignorance which has been already described. But the events and institutions which I have enumerated produced great alterations in society. As soon as their operation, in restoring liberty and independence to one part of the community, began to be felt, as soon as they began to communicate to all the members of society some taste of the advantages arising from commerce,

[67] Note XXVII.

from public order, and from personal security, the human mind became conscious of powers which it did not formerly perceive, and fond of occupations or pursuits of which it was formerly incapable. Towards the beginning of the twelfth century we discern the first symptoms of its awakening from that lethargy in which it had been long sunk, and observe it turning with curiosity and attention towards new objects.

The first literary efforts, however, of the European nations in the Middle Ages were extremely ill directed. Among nations, as well as individuals, the powers of imagination attain some degree of vigour before the intellectual faculties are much exercised in speculative or abstract disquisition. Men are poets before they are philosophers; they feel with sensibility, and describe with force, when they have made but little progress in investigation or reasoning. The age of Homer and of Hesiod long preceded that of Thales or of Socrates. But, unhappily for literature, our ancestors, deviating from this course which nature points out, plunged at once into the depths of abstruse and metaphysical inquiry. They had been converted to the Christian faith soon after they settled in their new conquests. But they did not receive it pure; the presumption of men had added to the simple and instructive doctrines of Christianity the theories of a vain philosophy, that attempted to penetrate into mysteries and to decide questions which the limited faculties of the human mind are unable to comprehend or to resolve. These over-curious speculations were incorporated with the system of religion, and came to be considered as the most essential part of it. As soon, then, as curiosity prompted men to inquire and to reason, these were the subjects which first presented themselves and engaged their attention. The scholastic theology, with its infinite train of bold disquisitions, and subtile distinctions concerning points which are not the object of human reason, was the first production of the spirit of inquiry after it began to resume some degree of activity and vigour in Europe. It was not, however, this circumstance alone that gave such a strong turn to the minds of men, when they began again to exercise talents which they had so long neglected. Most of the persons who attempted to revive literature in the twelfth and thirteenth centuries had received instruction or derived their principles of science from the Greeks in the Eastern empire, or from the Arabians in Spain and Africa. Both these people, acute and inquisitive to excess, had corrupted those sciences which they cultivated. The former rendered theology a system of speculative refinement or of endless controversy; the latter communicated to philosophy a spirit of metaphysical and frivolous subtlety. Misled by these guides, the persons who first applied to science were involved in a maze of intricate inquiries. Instead of allowing their fancy to take its natural range, and to produce such works of invention as might have improved their taste and refined their sentiments, —instead of cultivating those arts which embellish human life and render it comfortable,—they were fettered by authority, they were led astray by example, and wasted the whole force of their genius in speculations as unavailing as they were difficult.

But, fruitless and ill directed as these speculations were, their novelty roused and their boldness interested the human mind. The ardour with which men pursued these uninviting studies was astonishing. Genuine philosophy was never cultivated, in any enlightened age, with more zeal. Schools, upon the model of those instituted by Charlemagne, were opened in every cathedral, and almost in every monastery of note. Colleges and universities were erected and formed into communities or corporations, governed by their own laws and invested with separate and extensive jurisdiction over their own

members. A regular course of studies was planned; privileges of great value were conferred on masters and scholars; academical titles and honours of various kinds were invented as a recompense for both. Nor was it in the schools alone that superiority in science led to reputation and authority: it became an object of respect in life, and advanced such as acquired it to a rank of no inconsiderable eminence. Allured by all these advantages, an incredible number of students resorted to those new seats of learning, and crowded with eagerness into that new path which was open to fame and distinction.

But, how considerable soever these first efforts may appear, there was one circumstance which prevented the effects of them from being as extensive as they naturally ought to have been. All the languages in Europe, during the period under review, were barbarous; they were destitute of elegance, of force, and even of perspicuity. No attempt had been hitherto made to improve or to polish them. The Latin tongue was consecrated by the Church to religion; custom, with authority scarcely less sacred, had appropriated it to literature. All the sciences cultivated in the twelfth and thirteenth centuries were taught in Latin; all books with respect to them were written in that language. It would have been deemed a degradation of any important subject to have treated of it in a modern language. This confined science within a very narrow circle; the learned alone were admitted into the temple of knowledge; the gate was shut against all others, who were suffered to remain involved in their former darkness and ignorance.

But though science was thus prevented, during several ages, from diffusing itself through society, and its influence was much circumscribed, the progress which it made may be mentioned, nevertheless, among the great causes which contributed to introduce a change of manners into Europe. The ardent though ill-judged spirit of inquiry which I have described occasioned a fermentation of mind that put ingenuity and invention in motion and gave them vigour. It led men to a new employment of their faculties, which they found to be agreeable as well as interesting. It accustomed them to exercises and occupations which tended to soften their manners, and to give them some relish for the gentle virtues peculiar to people among whom science has been cultivated with success.[68]

X. The progress of commerce had considerable influence in polishing the manners of the European nations, and in establishing among them order, equal laws, and humanity. The wants of men in the original and most simple state of society are so few, and their desires so limited, that they rest contented with the natural productions of their climate and soil, or with what they can add to these by their own rude industry. They have no superfluities to dispose of, and few necessities that demand a supply. Every little community, subsisting on its own domestic stock and satisfied with it, is either little acquainted with the states around it, or at variance with them. Society and manners must be considerably improved, and many provisions must be made for public order and personal security, before a liberal intercourse can take place between different nations. We find, accordingly, that the first effect of the settlement of the barbarians in the empire was to divide those nations which the Roman power had united. Europe was broken into many separate communities. The intercourse between these divided states ceased almost entirely during several centuries. Navigation was dangerous in seas infested by pirates; nor could strangers trust to a friendly reception in the ports of uncivilized nations. Even between distant parts of the same kingdom the communication was rare

[68] Note XXVIII.

and difficult. The lawless rapine of banditti, together with the avowed exactions of the nobles, scarcely less formidable and oppressive, rendered a journey of any length a perilous enterprise. Fixed to the spot in which they resided, the greater part of the inhabitants of Europe lost, in a great measure, the knowledge of remote regions, and were unacquainted with their names, their situations, their climates, and their commodities.[69]

Various causes, however, contributed to revive the spirit of commerce, and to renew, in some degree, the intercourse between different nations. The Italians, by their connection with Constantinople and other cities of the Greek empire, had preserved in their own country considerable relish for the precious commodities and curious manufactures of the East. They communicated some knowledge of these to the countries contiguous to Italy. But this commerce being extremely limited, the intercourse which it occasioned between different nations was not considerable. The crusades, by leading multitudes from every corner of Europe into Asia, opened a more extensive communication between the East and West, which subsisted for two centuries; and though the object of these expeditions was conquest, and not commerce, though the issue of them proved as unfortunate as the motives for undertaking them were wild and enthusiastic, their commercial effects, as hath been shown, were both beneficial and permanent. During the continuance of the crusades, the great cities in Italy, and in other countries of Europe, acquired liberty, and together with it such privileges as rendered them respectable and independent communities. Thus, in every state there was formed a new order of citizens, to whom commerce presented itself as their proper object and opened to them a certain path to wealth and consideration. Soon after the close of the holy war, the mariner's compass was invented, which, by rendering navigation more secure, encouraged it to become more adventurous, facilitated the communication between remote nations, and brought them nearer to each other.

The Italian states, during the same period, established a regular commerce with the East in the ports of Egypt, and drew from thence all the rich products of the Indies. They introduced into their own territories manufactures of various kinds, and carried them on with great ingenuity and vigour. They attempted new arts, and transplanted from warmer climates, to which they had been hitherto deemed peculiar, several natural productions which now furnish the materials of a lucrative and extended commerce. All these commodities, whether imported from Asia or produced by their own skill, they disposed of to great advantage among the other people of Europe, who began to acquire some taste for an elegance in living unknown to their ancestors, or despised by them. During the twelfth and thirteenth centuries the commerce of Europe was almost entirely in the hands of the Italians, more commonly known in those ages by the name of Lombards. Companies or societies of Lombard merchants settled in every different kingdom. They were taken under the immediate protection of the several governments. They enjoyed extensive privileges and immunities. The operation of the ancient barbarous laws concerning strangers was suspended with respect to them. They became the carriers, the manufacturers, and the bankers of all Europe.

While the Italians, in the South of Europe, were cultivating trade with such industry and success, the commercial spirit awakened in the North towards the middle of the thirteenth century. As the nations around the Baltic were at that time extremely barbarous, and infested that sea with their piracies, the cities of Lubec and Hamburg, soon after they began to open some trade

[69] Note XXIX.

with these people, found it necessary to enter into a league of mutual defence. They derived such advantages from this union that other towns acceded to their confederacy, and in a short time eighty of the most considerable cities scattered through those extensive countries which stretch from the bottom of the Baltic to Cologne on the Rhine joined in the famous Hanseatic league, which became so formidable that its alliance was courted and its enmity was dreaded by the greatest monarchs. The members of this powerful association formed the first systematic plan of commerce known in the Middle Ages, and conducted it by common laws enacted in their general assemblies. They supplied the rest of Europe with naval stores, and pitched on different towns, the most eminent of which was at Bruges in Flanders, where they established staples in which their commerce was regularly carried on. Thither the Lombards brought the productions of India, together with the manufactures of Italy, and exchanged them for the more bulky but not less useful commodities of the North. The Hanseatic merchants disposed of the cargoes which they received from the Lombards in the ports of the Baltic, or carried them up the great rivers into the interior parts of Germany.

This regular intercourse opened between the nations in the North and South of Europe made them sensible of their mutual wants, and created such new and increasing demands for commodities of every kind that it excited among the inhabitants of the Netherlands a more vigorous spirit in carrying on the two great manufactures of wool and flax, which seem to have been considerable in that country as early as the age of Charlemagne. As Bruges became the centre of communication between the Lombard and Hanseatic merchants, the Flemings traded with both in that city to such extent, as well as advantage, as spread among them a general habit of industry, which long rendered Flanders and the adjacent provinces the most opulent, the most populous, and best cultivated countries in Europe.

Struck with the flourishing state of these provinces, of which he discerned the true cause, Edward III. of England endeavoured to excite a spirit of industry among his own subjects, who, blind to the advantages of their situation, and ignorant of the source from which opulence was destined to flow into their country, were so little attentive to their commercial interests as hardly to attempt those manufactures, the materials of which they furnished to foreigners. By alluring Flemish artisans to settle in his dominions, as well as by many wise laws for the encouragement and regulation of trade, Edward gave a beginning to the woollen manufactures of England, and first turned the active and enterprising genius of his people towards those arts which have raised the English to the highest rank among commercial nations.

This increase of commerce and of intercourse between nations, how inconsiderable soever it may appear in respect of their rapid and extensive progress during the last and present age, seems wonderfully great when we compare it with the state of both in Europe previous to the twelfth century. It did not fail of producing great effects. Commerce tends to wear off those prejudices which maintain distinction and animosity between nations. It softens and polishes the manners of men. It unites them by one of the strongest of all ties, the desire of supplying their mutual wants. It disposes them to peace, by establishing in every state an order of citizens bound by their interests to be the guardians of public tranquillity. As soon as the commercial spirit acquires vigour and begins to gain an ascendant in any society, we discover a new genius in its policy, its alliances, its wars, and its negotiations. Conspicuous proofs of this occur in the history of the Italian states, of the Hanseatic league, and the cities of the Netherlands during the period under

review. In proportion as commerce made its way into the different countries of Europe, they successively turned their attention to those objects and adopted those manners which occupy and distinguish polished nations.[70]

SECTION II.

VIEW OF THE PROGRESS OF SOCIETY IN EUROPE WITH RESPECT TO THE COMMAND OF THE NATIONAL FORCE REQUISITE IN FOREIGN OPERATIONS.

Improved State of Society at the Beginning of the Fifteenth Century—The Concentration of Resources in European States—The Power of Monarchs; their Revenues and Armies—Affairs of Different States at first entirely distinct—Progress of Combination—Loss of Continental Territory by the English—Effects upon the French Monarchy—Growth of Standing Armies, and of the Royal Prerogative under Louis XI.—His Example imitated in England and in Spain—The Heiress of Burgundy—Perfidious Conduct of Louis XI. towards her—Her Marriage with Maximilian, Archduke of Austria—Invasion of Italy by Charles VIII.—The Balance of Power—Use of Infantry in Armies—League of Cambray against Venice.

Such are the events and institutions which, by their powerful operation, contributed gradually to introduce regular government and polished manners in the various nations of Europe. When we survey the state of society, or the character of individuals, at the opening of the fifteenth century, and then turn back to view the condition of both at the time when the barbarous tribes which overturned the Roman power completed their settlement in their new conquests, the progress which mankind had made towards order and refinement will appear immense.

Government, however, was still far from having attained that state in which extensive monarchies act with the united vigour of the whole community, or carry on great undertakings with perseverance and success. Small tribes or communities, even in their rudest state, may operate in concert and exert their utmost force. They are excited to act, not by the distant objects or the refined speculations which interest or affect men in polished societies, but by their present feelings. The insults of an enemy kindle resentment; the success of a rival tribe awakens emulation: these passions communicate from breast to breast, and all the members of the community, with united ardour, rush into the field in order to gratify their revenge or to acquire distinction. But in widely-extended states, such as the great kingdoms of Europe at the beginning of the fifteenth century, where there is little intercourse between the distant members of the community, and where every great enterprise requires previous concert and long preparation, nothing can rouse and call forth their united strength but the absolute command of a despot or the powerful influence of regular policy. Of the former, the vast empires in the East are an example: the irresistible mandate of the sovereign reaches the most remote provinces of his dominions, and compels whatever number of his subjects he is pleased to summon to follow his standard. The kingdoms of Europe, in the present age, are an instance of the latter: the prince, by the less violent but no less effectual operation of laws and a well-regulated government, is enabled to avail himself of the whole force of his state, and to employ it in enterprises which require strenuous and persevering efforts.

But at the opening of the fifteenth century the political constitution in all the kingdoms of Europe was very different from either of these states of

[70] Note XXX.

government. The several monarchs, though they had somewhat enlarged the boundaries of prerogative by successful encroachments on the immunities and privileges of the nobility, were possessed of an authority extremely limited. The laws and interior police of kingdoms, though much improved by the various events and regulations which I have enumerated, were still feeble and imperfect. In every country, a numerous body of nobles, who continued to be formidable notwithstanding the various expedients employed to depress them, watched all the motions of their sovereign with a jealous attention which set bounds to his ambition, and either prevented his forming schemes of extensive enterprise, or obstructed the execution of them.

The ordinary revenues of every prince were so extremely small as to be inadequate to any great undertaking. He depended for extraordinary supplies on the good will of his subjects, who granted them often with a reluctant, and always with a sparing, hand.

As the revenues of princes were inconsiderable, the armies which they could bring into the field were unfit for long and effectual service. Instead of being able to employ troops trained to skill in arms, and to military subordination, by regular discipline, monarchs were obliged to depend on such forces as their vassals conducted to their standard in consequence of their military tenures. These, as they were bound to remain under arms only for a short time, could not march far from their usual place of residence, and, being more attached to the lord of whom they held than to the sovereign whom they served, were often as much disposed to counteract as to forward his schemes. Nor were they, even if they had been more subject to the command of the monarch, proper instruments to carry into execution any great and arduous enterprise. The strength of an army, formed either for conquest or defence, lies in infantry. To the stability and discipline of their legions, consisting chiefly of infantry, the Romans, during the times of the republic, were indebted for their victories; and when their descendants, forgetting the institutions which had led them to universal dominion, so far altered their military system as to place their principal confidence in a numerous cavalry, the undisciplined impetuosity of the barbarous nations, who fought mostly on foot, was sufficient, as I have already observed, to overcome them. These nations, soon after they settled in their new conquests, uninstructed by the fatal error of the Romans, relinquished the customs of their ancestors, and converted the chief force of their armies into cavalry. Among the Romans this change was occasioned by the effeminacy of their troops, who could not endure the fatigues of service which their more virtuous and hardy ancestors had sustained with ease. Among the people who established the new monarchies into which Europe was divided, this innovation in military discipline seems to have flowed from the pride of the nobles, who, scorning to mingle with persons of inferior rank, aimed at being distinguished from them in the field as well as during peace. The institution of chivalry, and the frequency of tournaments, in which knights, in complete armour, entered the lists on horseback with extraordinary splendour, displaying amazing address, force, and valour, brought cavalry into still greater esteem. The fondness for that service increased to such a degree that during the thirteenth and fourteenth centuries the armies of Europe were composed almost entirely of cavalry. No gentleman would appear in the field but on horseback. To serve in any other manner he would have deemed derogatory to his rank. The cavalry, by way of distinction, was called *the battle*, and on it alone depended the fate of every action. The infantry, collected from the dregs and refuse of the people, ill armed and worse disciplined, was almost of no account.

As these circumstances rendered the operations of particular kingdoms less considerable and less vigorous, so they long kept the princes of Europe from giving such attention to the schemes and transactions of their neighbours as might lead them to form any regular system of public security. They were, of consequence, prevented from uniting in confederacy, or from acting with concert, in order to establish such a distribution and balance of power as should hinder any state from rising to a superiority which might endanger the general liberty and independence. During several centuries, the nations of Europe appear to have considered themselves as separate societies, scarcely connected together by any common interest, and little concerned in each other's affairs or operations. An extensive commerce did not afford them an opportunity of observing and penetrating into the schemes of every different state. They had not ambassadors residing constantly in every court, to watch and give early intelligence of all its motions. The expectation of remote advantages, or the prospect of distant and contingent evils, was not sufficient to excite nations to take arms. Such only as were within the sphere of immediate danger, and unavoidably exposed to injury or insult, thought themselves interested in any contest or bound to take precautions for their own safety.

Whoever records the transactions of any of the more considerable European states during the two last centuries must write the history of Europe. Its various kingdoms, throughout that period, have been formed into one great system, so closely united that, each holding a determinate station, the operations of one are so felt by all as to influence their counsels and regulate their measures. But previous to the fifteenth century, unless when vicinity of territory rendered the occasions of discord frequent and unavoidable, or when national emulation fomented or embittered the spirit of hostility, the affairs of different countries are seldom interwoven with each other. In each kingdom of Europe great events and revolutions happened, which the other powers beheld with almost the same indifference as if they had been uninterested spectators, to whom the effect of these transactions could never extend.

During the violent struggles between France and England, and notwithstanding the alarming progress which was made towards rendering one prince the master of both these kingdoms, hardly one measure which can be considered as the result of a sagacious and prudent policy was formed in order to guard against an event so fatal to Europe. The dukes of Burgundy and Bretagne, whom their situation would not permit to remain neutral, engaged, it is true, in the contest; but in taking their part they seem rather to have followed the impulse of their passions than to have been guided by any just discernment of the danger which threatened themselves and the tranquillity of Europe. The other princes, seemingly unaffected by the alternate successes of the contending parties, left them to decide the quarrel by themselves, or interposed only by feeble and ineffectual negotiations.

Notwithstanding the perpetual hostilities in which the various kingdoms of Spain were engaged during several centuries, and the successive occurrences which visibly tended to unite that part of the continent into one great monarchy, the princes of Europe hardly took any step from which we may conclude that they gave a proper attention to that important event. They permitted a power to arise imperceptibly, and to acquire strength there, which soon became formidable to all its neighbours.

Amidst the violent convulsions with which the spirit of domination in the see of Rome, and the turbulent ambition of the German nobles, agitated the empire, neither the authority of the popes, seconded by all their artifices and intrigues, nor the solicitations of the emperors, could induce any of the

powerful monarchs in Europe to engage in their quarrel, or to avail themselves of many favourable opportunities of interposing with effect and advantage.

This amazing inactivity during transactions so interesting is not to be imputed to any incapacity of discerning their political consequences. The power of judging with sagacity, and of acting with vigour, is the portion of men of every age. The monarchs who reigned in the different kingdoms of Europe, during several centuries, were not blind to their particular interest, negligent of the public safety, or strangers to the method of securing both. If they did not adopt that salutary system which teaches modern politicians to take the alarm at the prospect of distant dangers, which prompts them to check the first encroachments of any formidable power, and which renders each state the guardian, in some degree, of the rights and independence of all its neighbours, this was owing entirely to such imperfections and disorders in the civil government of each country as made it impossible for sovereigns to act suitably to those ideas which the posture of affairs and their own observation must have suggested.

But during the course of the fifteenth century various events happened which, by giving princes more entire command of the force in their respective dominions, rendered their operations more vigorous and extensive. In consequence of this, the affairs of different kingdoms becoming more frequently as well as more intimately connected, they were gradually accustomed to act in concert and confederacy, and were insensibly prepared for forming a system of policy in order to establish or to preserve such a balance of power as was most consistent with the general security. It was during the reign of Charles V. that the ideas on which this system is founded first came to be fully understood. It was then that the maxims by which it has been uniformly maintained since that era were universally adopted. On this account, a view of the causes and events which contributed to establish a plan of policy more salutary and extensive than any that has taken place in the conduct of human affairs is not only a necessary introduction to the following work, but is a capital object in the history of Europe.

The first event that occasioned any considerable alteration in the arrangement of affairs in Europe was the annexation of the extensive territories which England possessed on the continent to the crown of France. While the English were masters of several of the most fertile and opulent provinces in France, and a great part of its most martial inhabitants was bound to follow their standard, an English monarch considered himself rather as the rival than as the vassal of the sovereign of whom he held. The kings of France, circumscribed and thwarted in their schemes and operations by an adversary no less jealous than formidable, durst not enter upon any enterprise of importance or of difficulty. The English were always at hand, ready to oppose them. They disputed even their right to their crown, and, being able to penetrate with ease into the heart of the kingdom, could arm against them those very hands which ought to have been employed in their defence. Timid counsels and feeble efforts were natural to monarchs in such a situation. France, dismembered and overawed, could not attain its proper station in the system of Europe. But the death of Henry V. of England, happily for France, and not unfortunately for his own country, delivered the French from the calamity of having a foreign master seated on their throne. The weakness of a long minority, the dissensions in the English court, together with the unsteady and languid conduct which these occasioned, afforded the French a favourable opportunity of recovering the territories which they had lost. The native valour of the French nobility, heightened to an enthusiastic confidence,

by a supposed interposition of Heaven in their behalf, conducted in the field by skilful leaders, and directed in the cabinet by a prudent monarch, was exerted with such vigour and success, during this favourable juncture, as not only wrested from the English their new conquests, but stripped them of their ancient possessions in France, and reduced them within the narrow precincts of Calais and its petty territory.

As soon as so many considerable provinces were reunited to their dominions, the kings of France, conscious of this acquisition of strength, began to form bolder schemes of interior policy as well as of foreign operations. They immediately became formidable to their neighbours, who began to fix their attention on their measures and motions, the importance of which they fully perceived. From this era, France, possessed of the advantages which it derives from the situation and contiguity of its territories, as well as from the number and valour of its people, rose to new influence in Europe, and was the first power in a condition to give alarm to the jealousy or fears of the states around it.

Nor was France indebted for this increase of importance merely to the reunion of the provinces which had been torn from it. A circumstance attended the recovery of these which, though less considerable and less observed, contributed not a little to give additional vigour and decision to all the efforts of that monarchy. During the obstinate struggles between France and England, all the defects of the military system under the feudal government were sensibly felt. A war of long continuance languished, when carried on by troops bound and accustomed to keep the field only for a short time. Armies composed chiefly of heavy-armed cavalry were unfit either for the defence or the attack of the many towns and castles which it became necessary to guard or to reduce. In order to obtain such permanent and effective force as became requisite during these lengthened contests, the kings of France took into their pay considerable bands of mercenary soldiers, levied sometimes among their own subjects, and sometimes in foreign countries. But, as the feudal policy provided no sufficient fund for such extraordinary service, these adventurers were dismissed at the close of every campaign, or upon any prospect of accommodation; and, having been little accustomed to the restraints of discipline, they frequently turned their arms against the country which they had been hired to defend, and desolated it with cruelty not inferior to that of its foreign enemies.

A body of troops kept constantly on foot, and regularly trained to military subordination, would have supplied what was wanting in the feudal constitution, and have furnished princes with the means of executing enterprises to which they were then unequal. Such an establishment, however, was so repugnant to the genius of feudal policy, and so incompatible with the privileges and pretensions of the nobility, that during several centuries no monarch was either so bold or so powerful as to venture on any step towards introducing it. At last, Charles VII., availing himself of the reputation which he had acquired by his successes against the English, and taking advantage of the impressions of terror which such a formidable enemy had left upon the minds of his subjects, executed that which his predecessors durst not attempt. Under pretence of having always ready a force sufficient to defend the kingdom against any sudden invasion of the English, he, at the time when he disbanded his other troops, retained under arms a body of nine thousand cavalry and of sixteen thousand infantry. He appropriated funds for the regular payment of these; he stationed them in different places of the kingdom, according to his pleasure, and appointed the officers who commanded

and disciplined them. The prime nobility courted this service, in which they were taught to depend on their sovereign, to execute his orders, and to look up to him as the judge and rewarder of their merit. The feudal militia, composed of the vassals whom the nobles could call out to follow their standard, as it was in no degree comparable to a body of soldiers regularly trained to war, sunk gradually in reputation. The strength of an army was no longer estimated solely by the number of cavalry which served in it. From the time that gunpowder was invented, and the use of cannon in the field became general, horsemen cased in complete armour lost all the advantages which gave them the pre-eminence over other soldiers. The helmet, the shield, and the breastplate, which resisted the arrow or the spear, no longer afforded them security against these new instruments of destruction. The service of infantry rose again into esteem, and victories were gained, and conquests made, chiefly by their efforts. The nobles and their military tenants, though sometimes summoned to the field, according to ancient form, were considered as an encumbrance upon the troops with which they acted, and were viewed with contempt by soldiers accustomed to the vigorous and steady operations of regular service.

Thus the regulations of Charles VII., by establishing the first standing army known in Europe, occasioned an important revolution in its affairs and policy. By taking from the nobles the sole direction of the national military force, which had raised them to such high authority and importance, a deep wound was given to the feudal aristocracy, in that part where its power seemed to be most complete.

France, by forming this body of regular troops, at a time when there was hardly a squadron or company kept in constant pay in any other part of Europe, acquired such advantages over its neighbours, either in attack or defence, that self-preservation made it necessary for them to imitate its example. Mercenary troops were introduced into all the considerable kingdoms on the continent. They gradually became the only military force that was employed or trusted. It has long been the chief object of policy to increase and to support them. It has long been the great aim of princes and ministers to discredit and to annihilate all other means of national activity or defence.

As the kings of France got the start of other powers in establishing a military force in their dominions, which enabled them to carry on foreign operations with more vigour and to greater extent, so they were the first who effectually broke the feudal aristocracy and humbled the great vassals of the crown, who by their exorbitant power had long circumscribed the royal prerogative within very narrow limits and had rendered all the efforts of the monarchs of Europe inconsiderable. Many things concurred to undermine, gradually, the power of the feudal aristocracy in France. The wealth and property of the nobility were greatly impaired during the long wars which the kingdom was obliged to maintain with the English. The extraordinary zeal with which they exerted themselves in defence of their country against its ancient enemies exhausted entirely the fortunes of some great families. As almost every province in the kingdom was in its turn the seat of war, the lands of others were exposed to the depredations of the enemy, were ravaged by the mercenary troops which their sovereigns hired occasionally but could not pay, or were desolated with rage still more destructive by the peasants, in different insurrections. At the same time, the necessities of government having forced their kings upon the desperate expedient of making great and sudden alterations in the current coin of the kingdom, the fines, quit-rents,

and other payments fixed by ancient custom sunk much in value, and the revenues of a fief were reduced far below the sum which it had once yielded. During their contests with the English, in which a generous nobility courted every station where danger appeared or honour could be gained, many families of note became extinct, and their fiefs were reunited to the crown. Other fiefs, in a long course of years, fell to female heirs, and were divided among them, were diminished by profuse donations to the Church, or were broken and split by the succession of remote collateral heirs.[1]

Encouraged by these manifest symptoms of decline in that body which he wished to depress, Charles VII., during the first interval of peace with England, made several efforts towards establishing the regal prerogative on the ruins of the aristocracy. But his obligations to the nobles were so many, as well as recent, and their services in recovering the kingdom so splendid, as rendered it necessary for him to proceed with moderation and caution. Such, however, was the authority which the crown had acquired by the progress of its arms against the English, and so much was the power of the nobility diminished, that, without any opposition, he soon made innovations of great consequence in the constitution. He not only established that formidable body of regular troops which has been mentioned, but he was the first monarch of France who by his royal edict, without the concurrence of the states-general of the kingdom, levied an extraordinary subsidy on his people. He prevailed likewise with his subjects to render several taxes perpetual which had formerly been imposed occasionally and exacted during a short time. By means of all these innovations he acquired such an increase of power, and extended his prerogative so far beyond its ancient limits, that, from being the most dependent prince who had ever sat upon the throne of France, he came to possess, during the latter years of his reign, a degree of authority which none of his predecessors had enjoyed for several ages.[2]

That plan of humbling the nobility which Charles began to execute, his son Louis XI. carried on with a bolder spirit and with greater success. Louis was formed by nature to be a tyrant; and at whatever period he had been called to ascend the throne, his reign must have abounded with schemes to oppress his people and to render his own power absolute. Subtle, unfeeling, cruel, a stranger to every principle of integrity, and regardless of decency, he scorned all the restraints which a sense of honour or the desire of fame imposes even upon ambitious men. Sagacious, at the same time, to discern what he deemed his true interest, and influenced by that alone, he was capable of pursuing it with a persevering industry, and of adhering to it with a systematic spirit, from which no object could divert and no danger could deter him.

The maxims of his administration were as profound as they were fatal to the privileges of the nobility. He filled all the departments of government with new men, and often with persons whom he called from the lowest as well as the most despised functions in life and raised at pleasure to stations of great power or trust. These were his only confidants, whom he consulted in forming his plans, and to whom he committed the execution of them; while the nobles, accustomed to be the companions, the favourites, and the ministers of their sovereigns, were treated with such studied and mortifying neglect that, if they would not submit to follow a court in which they appeared without any shadow of their ancient power, they were obliged to retire to their castles, where they remained unemployed and forgotten. Not satisfied with

[1] Boulainvilliers, Histoire du Gouvernement de France, Lettre xii.

[2] Histoire de France par Velly et Villaret, tom. xv. pp. 331, etc., 389; tom. xvi. p. 324. —Variations de la Monarchie Françoise, tom. iii. p. 162.

having rendered the nobles of less consideration by taking out of their hands the sole direction of affairs, Louis added insult to neglect, and, by violating their most valuable privileges, endeavoured to degrade the order and to reduce the members of it to the same level with other subjects. Persons of the highest rank among them, if so bold as to oppose his schemes or so unfortunate as to awaken the jealousy of his capricious temper, were persecuted with rigour from which all who belonged to the order of nobility had hitherto been exempt; they were tried by judges who had no right to take cognizance of their actions, and were subjected to torture, or condemned to an ignominious death, without regard to their birth or condition. The people, accustomed to see the blood of the most illustrious personages shed by the hands of the common executioner, to behold them shut up in dungeons and carried about in cages of iron, began to view the nobility with less reverence than formerly, and looked up with terror to the royal authority, which seemed to have humbled or annihilated every other power in the kingdom.

At the same time, Louis, being afraid that oppression might rouse the nobles, whom the rigour of his government had intimidated, or that self-preservation might at last teach them to unite, dexterously scattered among them the seeds of discord, and industriously fomented those ancient animosities between the great families, which the spirit of jealousy and emulation natural to the feudal government had originally kindled and still kept alive. To accomplish this, all the arts of intrigue, all the mysteries and refinements of his fraudulent policy, were employed, and with such success that, at a juncture which required the most strenuous efforts as well as the most perfect union, the nobles never acted, except during one short sally of resentment at the beginning of his reign, either with vigour or in concert.

As he stripped the nobility of their privileges, he added to the power and prerogative of the crown. In order to have at command such a body of soldiers as might be sufficient to crush any force that his disaffected subjects could draw together, he not only kept on foot the regular troops which his father had raised, but, besides augmenting their number considerably, he took into his pay six thousand Swiss, at that time the best disciplined and most formidable infantry in Europe.[3] From the jealousy natural to tyrants, he confided in these foreign mercenaries, as the most devoted instruments of oppression, and the most faithful guardians of the power which he had usurped. That they might be ready to act on the shortest warning, he, during the latter years of his reign, kept a considerable body of them encamped in one place.[4]

Great funds were requisite, not only to defray the expense of this additional establishment, but to supply the sums employed in the various enterprises which the restless activity of his genius prompted him to undertake. But the prerogative that his father had assumed of levying taxes without the concurrence of the states-general, which he was careful not only to retain, but to extend, enabled him to provide in some measure for the increasing charges of government.

What his prerogative, enlarged as it was, could not furnish, his address procured. He was the first monarch in Europe who discovered the method of managing those great assemblies in which the feudal policy had vested the power of granting subsidies and of imposing taxes. He first taught other princes the fatal art of beginning their attack on public liberty by corrupting the source from which it should flow. By exerting all his power and address

[3] Mém. de Comines, tom. i. p. 367.—Dan., Hist. de la Milice Françoise, tom. i. p. 182.

[4] Mém. de Comines, tom. i. p. 381.

in influencing the election of representatives, by bribing or overawing the members, and by various changes which he artfully made in the form of their deliberations, Louis acquired such entire direction of these assemblies that, from being the vigilant guardians of the privileges and property of the people, he rendered them tamely subservient towards promoting the most odious measures of his reign.[5] As no power remained to set bounds to his exactions, he not only continued all the taxes imposed by his father, but he made great additions to them, which amounted to a sum that appeared astonishing to his contemporaries.[6]

Nor was it the power alone or wealth of the crown that Louis increased: he extended its territories by acquisitions of various kinds. He got possession of Roussillon by purchase; Provence was conveyed to him by the will of Charles de Anjou; and upon the death of Charles the Bold he seized with a strong hand Burgundy and Artois, which had belonged to that prince. Thus, during the course of a single reign France was formed into one compact kingdom, and the steady, unrelenting policy of Louis XI. not only subdued the haughty spirit of the feudal nobles, but established a species of government scarcely less absolute or less terrible than Eastern despotism.

But, fatal as his administration was to the liberties of his subjects, the authority which he acquired, the resources of which he became master, and his freedom from restraint in concerting his plans as well as in executing them, rendered his reign active and enterprising. Louis negotiated in all the courts of Europe; he observed the motions of all his neighbours; he engaged, either as principal or as an auxiliary, in every great transaction; his resolutions were prompt, his operations vigorous; and upon every emergence he could call forth into action the whole force of his kingdom. From the era of his reign, the kings of France, no longer fettered and circumscribed at home by a jealous nobility, have exerted themselves more abroad, have formed more extensive schemes of foreign conquests, and have carried on war with a spirit and vigour long unknown in Europe.

The example which Louis set was too inviting not to be imitated by other princes. Henry VII., as soon as he was seated on the throne of England, formed the plan of enlarging his own prerogative by breaking the power of the nobility. The circumstances under which he undertook to execute it were less favourable than those which induced Charles VII. to make the same attempt; and the spirit with which he conducted it was very different from that of Louis XI. Charles, by the success of his arms against the English, by the merit of having expelled them out of so many provinces, had established himself so firmly in the confidence of his people as encouraged him to make bold encroachments on the ancient constitution. The daring genius of Louis broke through every barrier, and endeavoured to surmount or to remove every obstacle that stood in his way. But Henry held the sceptre by a disputed title; a popular faction was ready every moment to take arms against him; and after long civil wars, during which the nobility had often displayed their power in creating and deposing kings, he felt that the regal authority had been so much relaxed, and that he had entered into possession of a prerogative so much abridged, as rendered it necessary to carry on his measures deliberately and without any violent exertion. He endeavoured to undermine that formidable structure which he durst not attack by open force. His schemes,

[5] Mém. de Comines, tom. i. p. 136.—Chronique Scandaleuse, ibid., tom. ii. p. 71.

[6] Mém. de Comines, tom. i. p. 334.—Charles VII. levied taxes to the amount of 1,800,000 francs; Louis XI. raised 4,700,000. The former had in pay 9000 cavalry and 16,000 infantry. The latter augmented the cavalry to 15,000, and the infantry to 25,000. Ibid., p. 384.

though cautious and slow in their operation, were well concerted, and productive in the end of great effects. By his laws permitting the barons to break the entails of their estates and expose them to sale; by his regulations to prevent the nobility from keeping in their service those numerous bands of retainers, which rendered them formidable and turbulent; by favouring the rising power of the commons; by encouraging population, agriculture, and commerce; by securing to his subjects, during a long reign, the enjoyment of the blessings which flow from the arts of peace; by accustoming them to an administration of government under which the laws were executed with steadiness and vigour,—he made imperceptibly considerable alterations in the English constitution, and transmitted to his successor authority so extensive as rendered him one of the most absolute monarchs in Europe and capable of the greatest and most vigorous efforts.

In Spain, the union of all its crowns by the marriage of Ferdinand and Isabella, the glory that they acquired by the conquest of Granada, which brought the odious dominion of the Moors to a period, the command of the great armies which it had been necessary to keep long on foot in order to accomplish this, the wisdom and steadiness of their administration, and the address with which they availed themselves of every incident that occurred to humble the nobility and to extend their own prerogative, conspired in raising these monarchs to such eminence and authority as none of their predecessors had ever enjoyed. Though several causes, which shall be explained in another place, prevented their attaining the same powers with the kings of France and England, and preserved the feudal constitution longer entire in Spain, their great abilities supplied the defects of their prerogative, and improved with such dexterity all the advantages which they possessed that Ferdinand carried on his foreign operations, which were very extensive, with extraordinary vigour and effect.

While these princes were thus enlarging the boundaries of prerogative, and taking such steps towards rendering their kingdoms capable of acting with union and force, events occurred which called them forth to exert the new powers which they had acquired. These engaged them in such a series of enterprises and negotiations that the affairs of all the considerable nations in Europe came to be insensibly interwoven with each other, and a great political system was gradually formed, which grew to be an object of universal attention.

The first event which merits notice, on account of its influence in producing this change in the state of Europe, was the marriage of the daughter of Charles the Bold, the sole heiress of the house of Burgundy For some years before her father's death she had been considered as the apparent successor to his territories, and Charles had made proposals of marrying her to several different princes, with a view of alluring them, by that offer, to favour the schemes which his restless ambition was continually forming.

This rendered the alliance with her an object of general attention; and all the advantages of acquiring possession of her territories, the most opulent at that time, and the best cultivated, of any on this side of the Alps, were perfectly understood. As soon, then, as the untimely death of Charles opened the succession, the eyes of all the princes in Europe were turned towards Mary, and they felt themselves deeply interested in the choice which she was about to make of the person on whom she would bestow that rich inheritance.

Louis XI., from whose kingdom several of the provinces which she possessed had been dismembered, and whose dominions stretched along the frontier of her territories, had every inducement to court her alliance. He had, likewise, a good title to expect the favourable reception of any reasonable proposition

he should make with respect to the disposal of a princess who was the vassal of his crown and descended from the royal blood of France. There were only two propositions, however, which he could make with propriety. The one was the marriage of the dauphin, the other that of the count of Angoulême, a prince of the blood, with the heiress of Burgundy. By the former, he would have annexed all her territories to his crown, and have rendered France at once the most respectable monarchy in Europe. But the great disparity of age between the two parties, Mary being twenty and the dauphin only eight years old, the avowed resolution of the Flemings not to choose a master possessed of such power as might enable him to form schemes dangerous to their liberties, together with their dread of falling under the odious and oppressive government of Louis, were obstacles in the way of executing this plan which it was vain to think of surmounting. By the latter, the accomplishment of which might have been attained with ease, Mary having discovered some inclination to a match with the count of Angoulême,[7] Louis would have prevented the dominions of the house of Burgundy from being conveyed to a rival power, and in return for such a splendid establishment for the count of Angoulême he must have obtained, or would have extorted from him, concessions highly beneficial to the crown of France. But Louis had been accustomed so long to the intricacies of a crooked and insidious policy that he could not be satisfied with what was obvious and simple, and was so fond of artifice and refinement that he came to consider these rather as an ultimate object than merely as the means of conducting affairs. From this principle, no less than from his unwillingness to aggrandize any of his own subjects, or from his desire of oppressing the house of Burgundy, which he hated, he neglected the course which a prince less able and artful would have taken, and followed one more suited to his own genius.

He proposed to render himself, by force of arms, master of those provinces which Mary held of the crown of France, and even to push his conquests into her other territories while he amused her with insisting continually on the impracticable match with the dauphin. In prosecuting this plan he displayed wonderful talents and industry, and exhibited such scenes of treachery, falsehood, and cruelty as are amazing even in the history of Louis XI. Immediately upon the death of Charles he put his troops in motion and advanced towards the Netherlands. He corrupted the leading men in the provinces of Burgundy and Artois, and seduced them to desert their sovereign. He got admission into some of the frontier towns by bribing the governors; the gates of others were opened to him in consequence of his intrigues with the inhabitants. He negotiated with Mary; and, in order to render her odious to her subjects, he betrayed to them her most important secrets. He carried on a private correspondence with the two ministers whom she chiefly trusted, and then communicated the letters which he had received from them to the states of Flanders, who, enraged at their perfidy, brought them immediately to trial, tortured them with extreme cruelty, and, unmoved by the tears and entreaties of their sovereign, who knew and approved of all that the ministers had done, they beheaded them in her presence.[8]

While Louis, by his conduct, unworthy of a great monarch, was securing the possession of Burgundy, Artois, and the towns on the Somme, the states of Flanders carried on a negotiation with the emperor Frederic III., and concluded a treaty of marriage between their sovereign and his son Maximilian, archduke of Austria. The illustrious birth of that prince, as well as the high dignity of which he had the prospect, rendered the alliance honourable for

[7] Mém. de Comines, tom. i. p. 358.

[8] Ibid., liv. v. chap. 15. p. 309, etc.

Mary, while, from the distance of his hereditary territories and the scantiness of his revenues, his power was so inconsiderable as did not excite the jealousy or fear of the Flemings. [1477.]

Thus Louis, by the caprice of his temper and the excess of his refinements, put the house of Austria in possession of this noble inheritance. By this acquisition the foundation of the future grandeur of Charles V. was laid, and he became master of those territories which enabled him to carry on his most formidable and decisive operations against France. Thus, too, the same monarch who first united the interior force of France, and established it on such a footing as to render it formidable to the rest of Europe, contributed, far contrary to his intention, to raise up a rival power, which during two centuries has thwarted the measures, opposed the arms, and checked the progress of his successors.

The next event of consequence in the fifteenth century was the expedition of Charles VIII. into Italy. This occasioned revolutions no less memorable; produced alterations, both in the military and political system, which were more immediately perceived; roused the states of Europe to bolder efforts, and blended their affairs and interests more closely together. The mild administration of Charles, a weak but generous prince, seems to have revived the spirit and genius of the French nation, which the rigid despotism of Louis XI., his father, had depressed and almost extinguished. The ardour for military service, natural to the French nobility, returned, and their young monarch was impatient to distinguish his reign by some splendid enterprise. While he was uncertain towards what quarter he should turn his arms, the solicitations and intrigues of an Italian politician, no less infamous on account of his crimes than eminent for his abilities, determined his choice. Ludovico Sforza, having formed the design of deposing his nephew, the duke of Milan, and of placing himself on the ducal throne, was so much afraid of a combination of the Italian powers to oppose this measure and to support the injured prince, with whom most of them were connected by blood or alliance, that he saw the necessity of securing the aid of some able protector. The king of France was the person to whom he applied; and, without disclosing his own intentions, he laboured to prevail with him to march into Italy at the head of a powerful army, in order to seize the crown of Naples, to which Charles had pretensions as heir of the house of Anjou. The right to that kingdom, claimed by the Angevin family, had been conveyed to Louis XI. by Charles of Anjou, count of Maine and Provence. But that sagacious monarch, though he took immediate possession of those territories of which Charles was really master, totally disregarded his ideal title to a kingdom over which another prince reigned in tranquillity, and uniformly declined involving himself in the labyrinth of Italian politics. His son, more adventurous, or more inconsiderate, embarked eagerly in this enterprise, and, contemning all the remonstrances of his most experienced counsellors, prepared to carry it on with the utmost vigour. [1494.]

The power which Charles possessed was so great that he reckoned himself equal to this arduous undertaking. His father had transmitted to him such an ample prerogative as gave him the entire command of his kingdom. He himself had added considerably to the extent of his dominions by his prudent marriage with the heiress of Bretagne, which rendered him master of that province, the last of the great fiefs that remained to be annexed to the crown. He soon assembled forces which he thought sufficient; and so impatient was he to enter on his career as a conqueror that, sacrificing what was real for what was chimerical, he restored Roussillon to Ferdinand and gave up part of

his father's acquisitions in Artois to Maximilian, with a view of inducing these princes not to molest France while he was carrying on his operations in Italy.

But so different were the efforts of the states of Europe in the fifteenth century from those which we shall behold in the course of this history, that the army with which Charles undertook this great enterprise did not exceed twenty thousand men. The train of artillery, however, the ammunition, and warlike stores of every kind provided for its use, were so considerable as to bear some resemblance to the immense apparatus of modern war.[9]

When the French entered Italy, they met with nothing able to resist them. The Italian powers, having remained during a long period undisturbed by the invasion of any foreign enemy, had formed a system with respect to their affairs, both in peace and war, peculiar to themselves. In order to adjust the interests and balance the power of the different states into which Italy was divided, they were engaged in perpetual and endless negotiations with each other, which they conducted with all the subtlety of a refining and deceitful policy. Their contests in the field, when they had recourse to arms, were decided in mock battles, by innocent and bloodless victories. Upon the first appearance of the danger which now impended, they had recourse to the arts which they had studied, and employed their utmost skill in intrigue in order to avert it. But, this proving ineffectual, their bands of effeminate mercenaries, the only military force that remained in the country, being fit only for the parade of service, were terrified at the aspect of real war and shrunk at its approach. The impetuosity of the French valour appeared to them irresistible. Florence, Pisa, and Rome opened their gates as the French army advanced. The prospect of this dreadful invasion struck one king of Naples with such panic terror that he died (if we may believe historians) of the fright. Another abdicated his throne from the same pusillanimous spirit. A third fled out of his dominions as soon as the enemy appeared on the Neapolitan frontiers. Charles, after marching thither from the bottom of the Alps with as much rapidity and almost as little opposition as if he had been on a progress through his own dominions, took quiet possession of the throne of Naples, and intimidated or gave law to every power in Italy.

Such was the conclusion of an expedition that must be considered as the first great exertion of those new powers which the princes of Europe had acquired and now began to exercise. Its effects were no less considerable than its success had been astonishing. The Italians, unable to resist the impression of the enemy who broke in upon them, permitted him to hold on his course undisturbed. They quickly perceived that no single power which they could rouse to action was an equal match for a monarch who ruled over such extensive territories and was at the head of such a martial people, but a confederacy might accomplish what the separate members of it durst not attempt. To this expedient, the only one that remained to deliver or to preserve them from the yoke, they had recourse. While Charles inconsiderately wasted his time at Naples in festivals and triumphs on account of his past successes, or was fondly dreaming of future conquests in the East, to the empire of which he now aspired, they formed against him a powerful combination of almost all the Italian states, supported by the emperor Maximilian, and Ferdinand, king of Aragon. The union of so many powers, who suspended or forgot all their particular animosities that they might act in concert against an enemy who had become formidable to them all, awakened Charles from his thoughtless security. He saw now no prospect of safety but in returning to France. An army of thirty thousand men, assembled by the allies, was ready to obstruct

[9] Mézéray, Hist., tom. ii. p. 777.

his march; and though the French, with a daring courage which more than countervailed their inferiority in number, broke through that great body and gained a victory which opened to their monarch a safe passage into his own territories, he was stripped of all his conquests in Italy in as short a time as it had taken to acquire them; and the political system in that country resumed the same appearance as before his invasion.

The sudden and decisive effect of this confederacy seems to have instructed the princes and statesmen of Italy as much as the eruption of the French had disconcerted and alarmed them. They had extended, on this occasion, to the affairs of Europe, the maxims of that political science which had hitherto been applied only to regulate the operations of the petty states in their own country. They had discovered the method of preventing any monarch from rising to such a degree of power as was inconsistent with the general liberty, and had manifested the importance of attending to that great secret in modern policy, the preservation of a proper distribution of power among all the members of the system into which the states of Europe are formed. During all the wars of which Italy from that time was the theatre, and amidst the hostile operations which the imprudence of Louis XII. and the ambition of Ferdinand of Aragon carried on in that country, with little interruption, from the close of the fifteenth century to that period at which the subsequent history commences, the maintaining a proper balance of power between the contending parties became the great object of attention to the statesmen of Italy. Nor was the idea confined to them. Self-preservation taught other powers to adopt it It grew to be fashionable and universal. From this era we can trace the progress of that intercourse between nations which has linked the powers of Europe so closely together, and can discern the operations of that provident policy which during peace guards against remote and contingent dangers, and in war has prevented rapid and destructive conquests.

This was not the only effect of the operations which the great powers of Europe carried on in Italy. They contributed to render general such a change as the French had begun to make in the state of their troops, and obliged all the princes who appeared on this new theatre of action to put the military force of their kingdoms on an establishment similar to that of France. When the seat of war came to be remote from the countries which maintained the contest, the service of the feudal vassals ceased to be of any use, and the necessity of employing soldiers regularly trained to arms and kept in constant pay came at once to be evident. When Charles VIII. marched into Italy, his cavalry was entirely composed of those companies of gendarmes embodied by Charles VII. and continued by Louis XI.; his infantry consisted partly of Swiss, hired of the Cantons, and partly of Gascons, armed and disciplined after the Swiss model. To these Louis XII. added a body of Germans, well known in the wars of Italy by the name of the black bands. But neither of these monarchs made any account of the feudal militia, or ever had recourse to that military force which they might have commanded in virtue of the ancient institutions in their kingdom. Maximilian and Ferdinand, as soon as they began to act in Italy, employed similar instruments, and trusted the execution of their plans entirely to mercenary troops.

This innovation in the military system was quickly followed by another, which the custom of employing Swiss in the Italian wars was the occasion of introducing. The arms and discipline of the Swiss were different from those of other European nations. During their long and violent struggles in defence of their liberties against the house of Austria, whose armies, like those of other considerable princes, consisted chiefly of heavy-armed cavalry, the Swiss found

that their poverty, and the small number of gentlemen residing in their country, at that time barren and ill cultivated, put it out of their power to bring into the field any body of horse capable of facing the enemy. Necessity compelled them to place all their confidence in infantry; and, in order to render it capable of withstanding the shock of cavalry, they gave the soldiers breast-plates and helmets as defensive armour, together with long spears, halberds, and heavy swords as weapons of offence. They formed them into large battalions, ranged in deep and close array, so that they could present on every side a formidable front to the enemy.[10] The men-at-arms could make no impression on the solid strength of such a body. It repulsed the Austrians in all their attempts to conquer Switzerland. It broke the Burgundian gendarmerie, which was scarcely inferior to that of France, either in number or reputation; and when first called to act in Italy, it bore down, by its irresistible force, every enemy that attempted to oppose it. These repeated proofs of the decisive effect of infantry, exhibited on such conspicuous occasions, restored that service to reputation, and gradually re-established the opinion, which had been long exploded, of its superior importance in the operations of war. But, the glory which the Swiss had acquired having inspired them with such high ideas of their own prowess and consequence as frequently rendered them mutinous and insolent, the princes who employed them became weary of depending on the caprice of foreign mercenaries, and began to turn their attention towards the improvement of their national infantry.

The German powers, having the command of men whom nature has endowed with that steady courage and persevering strength which form them to be soldiers, soon modelled their troops in such a manner that they vied with the Swiss both in discipline and valour.

The French monarchs, though more slowly and with greater difficulty, accustomed the impetuous spirit of their people to subordination and discipline, and were at such pains to render their national infantry respectable that as early as the reign of Louis XII. several gentlemen of high rank had so far abandoned their ancient ideas as to condescend to enter into that service.[11]

The Spaniards, whose situation made it difficult to employ any other than their national troops in the southern parts of Italy, which was the chief scene of their operations in that country, not only adopted the Swiss discipline, but improved upon it, by mingling a proper number of soldiers, armed with heavy muskets, in their battalions, and thus formed that famous body of infantry which during a century and a half was the admiration and terror of all Europe. The Italian states gradually diminished the number of their cavalry, and, in imitation of their more powerful neighbours, brought the strength of their armies to consist in foot-soldiers. From this period the nations of Europe have carried on war with forces more adapted to every species of service, more capable of acting in every country, and better fitted both for making conquests and for preserving them.

As their efforts in Italy led the people of Europe to these improvements in the art of war, they gave them likewise the first idea of the expense with which it is accompanied when extensive or of long continuance, and accustomed every nation to the burden of such impositions as are necessary for supporting it. While the feudal policy subsisted in full vigour, while armies were composed of military vassals called forth to attack some neighbouring power and to perform in a short campaign the services which they owed to their sovereign, the expense of war was extremely moderate. A small subsidy enabled a prince

[10] Machiavel's Art of War, b. ii. chap. ii. p. 451.

[11] Brantôme, tom. x. p. 18. — Mém. de Fleuranges, p. 143.

to begin and to finish his greatest military operations But when Italy became the theatre on which the powers of Europe contended for superiority, the preparations requisite for such a distant expedition, the pay of armies kept constantly on foot, their subsistence in a foreign country, the sieges to be undertaken, and the towns to be defended, swelled the charges of war immensely, and, by creating demands unknown in less active times, multiplied taxes in every kingdom. The progress of ambition, however, was so rapid, and princes extended their operations so fast, that it was impossible at first to establish funds proportional to the increase of expense which these occasioned. When Charles VIII. invaded Naples, the sums requisite for carrying on that enterprise so far exceeded those which France had been accustomed to contribute for the support of government that before he reached the frontiers of Italy his treasury was exhausted, and the domestic resources of which his extensive prerogative gave him the command were at an end. As he durst not venture to lay any imposition on his people, oppressed already with the weight of unusual burdens, the only expedient that remained was to borrow of the Genoese as much money as might enable him to continue his march. But he could not obtain a sufficient sum without consenting to pay annually the exorbitant interest of forty-two livres for every hundred that he received.[12] We may observe the same disproportion between the efforts and revenues of other princes, his contemporaries. From this period taxes went on increasing; and during the reign of Charles V. such sums were levied in every state as would have appeared enormous at the close of the fifteenth century, and gradually prepared the way for the still more exorbitant exactions of modern times.

The last transaction, previous to the reign of Charles V., that merits attention on account of its influence upon the state of Europe, is the league of Cambray. To humble the republic of Venice and to divide its territories was the object of all the powers who united in this confederacy. The civil constitution of Venice, established on a firm basis, had suffered no considerable alteration for several centuries; during which the senate conducted its affairs by maxims of policy no less prudent than vigorous, and adhered to these with a uniform, consistent spirit which gave that commonwealth great advantage over other states, whose views and measures changed as often as the form of their government, or the persons who administered it. By these unintermitted exertions of wisdom and valour the Venetians enlarged the dominions of their commonwealth until it became the most considerable power in Italy; while their extensive commerce, the useful and curious manufactures which they carried on, together with the large share which they had acquired of the lucrative commerce with the East, rendered Venice the most opulent state in Europe.

The power of the Venetians was the object of terror to their Italian neighbours. Their wealth was viewed with envy by the greatest monarchs, who could not vie with many of their private citizens in the magnificence of their buildings, in the richness of their dress and furniture, or in splendour and elegance of living.[13] Julius II., whose ambition was superior, and his abilities equal, to those of any pontiff who ever sat on the papal throne, conceived the idea of this league against the Venetians, and endeavoured, by applying to those passions which I have mentioned, to persuade other princes to join it. By working upon the fears of the Italian powers, and upon the avarice o several monarchs beyond the Alps, he induced them, in concurrence with

[12] Mémoires de Comines, lib. vii. c. 5, p. 440.

[13] Heliani Oratio, apud Goldastum, in Polit. Imperiat., p. 980.

other causes, which it is not my province to explain, to form one of the most powerful confederacies that Europe had ever beheld, against those haughty republicans.

The emperor, the king of France, the king of Aragon, and the pope, were principals in the league of Cambray, to which almost all the princes of Italy acceded, the least considerable of them hoping for some share in the spoils of a state which they deemed to be now devoted to destruction. The Venetians might have diverted this storm, or have broken its force; but, with a presumptuous rashness to which there is nothing similar in the course of their history, they waited its approach. The impetuous valour of the French rendered ineffectual all their precautions for the safety of the republic; and the fatal battle of Ghiarraddada entirely ruined the army on which they relied for defence. Julius seized all the towns which they held in the ecclesiastical territories. Ferdinand re-annexed the towns of which they had got possession on the coast of Calabria to his Neapolitan dominions. Maximilian, at the head of a powerful army, advanced towards Venice on the one side. The French pushed their conquests on the other. The Venetians, surrounded by so many enemies, and left without one ally, sunk from the height of presumption to the depths of despair, abandoned all their territories on the continent, and shut themselves up in their capital, as their last refuge and the only place which they hoped to preserve.

This rapid success, however, proved fatal to the confederacy. The members of it, whose union continued while they were engaged in seizing their prey, began to feel their ancient jealousies and animosities revive as soon as they had a prospect of dividing it. When the Venetians observed these symptoms of distrust and alienation, a ray of hope broke in upon them: the spirit natural to their counsels returned; they resumed such wisdom and firmness as made some atonement for their former imprudence and dejection; they recovered part of the territory which they had lost; they appeased the pope and Ferdinand by well-timed concessions in their favour; and at length dissolved the confederacy which had brought their commonwealth to the brink of ruin.

Julius, elated with beholding the effects of a league which he himself had planned, and imagining that nothing was too arduous for him to undertake, conceived the idea of expelling every foreign power out of Italy, and bent all the force of his mind towards executing a scheme so well suited to his enterprising genius. He directed his first attack against the French, who, on many accounts, were more odious to the Italians than any of the foreigners who had acquired dominion in their country. By his activity and address, he prevailed on most of the powers who had joined in the league of Cambray to turn their arms against the king of France, their former ally, and engaged Henry VIII., who had lately ascended the throne of England, to favour their operations by invading France. Louis XII. resisted all the efforts of this formidable and unexpected confederacy with undaunted fortitude. Hostilities were carried on, during several campaigns, in Italy, on the frontiers of Spain, and in Picardy, with alternate success. Exhausted, at length, by the variety as well as extent of his operations, unable to withstand a confederacy which brought against him superior force, conducted with wisdom and acting with perseverance, Louis found it necessary to conclude separate treaties of peace with his enemies; and the war terminated with the loss of everything which the French had acquired in Italy, except the castle of Milan and a few inconsiderable towns in that duchy.

The various negotiations carried on during this busy period, and the different

combinations formed among powers hitherto little connected with each other, greatly increased that intercourse among the nations of Europe which I have mentioned as one effect of the events in the fifteenth century; while the greatness of the objects at which different nations aimed, the distant expeditions which they undertook, as well as the length and obstinacy of the contest in which they engaged, obliged them to exert themselves with a vigour and perseverance unknown in the preceding ages.

Those active scenes which the following history will exhibit, as well as the variety and importance of those transactions which distinguish the period to which it extends, are not to be ascribed solely to the ambition, to the abilities, or to the rivalship of Charles V. and of Francis I. The kingdoms of Europe had arrived at such a degree of improvement in the internal administration of government, and princes had acquired such command of the national force which was to be exerted in foreign wars, that they were in a condition to enlarge the sphere of their operations, to multiply their claims and pretensions, and to increase the vigour of their efforts. Accordingly, the sixteenth century opened with the certain prospect of its abounding in great and interesting events.

SECTION III.

VIEW OF THE POLITICAL CONSTITUTION OF THE PRINCIPAL STATES IN EUROPE AT THE COMMENCEMENT OF THE SIXTEENTH CENTURY.

Italy at the Beginning of the Sixteenth Century—The Papal Power—Alexander VI. and Julius II.—Defects in Ecclesiastical Governments—Venice: its Rise and Progress; its Naval Power and its Commerce—Florence—Naples and Sicily—Contest for its Crown—Duchy of Milan—Ludovico Sforza—Spain; conquered by the Vandals and by the Moors; gradually re-conquered by the Christians—Marriage of Ferdinand and Isabella—The Royal Prerogative—Constitution of Aragon and of Castile—Internal Disorders—"The Holy Brotherhood"—France; its Constitution and Government—The Power of its Early Kings—Government becomes purely Monarchical, though restrained by the Nobles and the Parliaments. The German Empire—Power of the Nobles and of the Clergy—Contests between the Popes and the Emperors—Decline of Imperial Authority—Total Change of Government—Maximilian—The real Power and Revenues of the Emperors, contrasted with their Pretensions—Complication of Difficulties—Origin of the Turkish Empire; its Character—The Janizaries—Solyman.

Having thus enumerated the principal causes and events the influence of which was felt in every part of Europe, and contributed either to improve internal order and police in its various states, or to enlarge the sphere of their activity, by giving them more entire command of the force with which foreign operations are carried on, nothing farther seems requisite for preparing my readers to enter, with full information, upon perusing the history of Charles V., but to give a view of the political constitution and form of civil government in each of the nations which acted any considerable part during that period. For as the institutions and events which I have endeavoured to illustrate formed the people of Europe to resemble each other, and conducted them from barbarism to refinement in the same path and by nearly equal steps, there were other circumstances which occasioned a difference in their political establishments, and gave rise to those peculiar modes of government which have produced such variety in the character and genius of nations.

It is no less necessary to become acquainted with the latter than to have contemplated the former. Without a distinct knowledge of the peculiar form

and genius of civil government in each state, a great part of its transactions must appear altogether mysterious and inexplicable. The historians of particular countries, as they seldom extended their views farther than to the amusement or instruction of their fellow-citizens, by whom they might presume that all their domestic customs and institutions were perfectly understood, have often neglected to descend into such details with respect to these as are sufficient to convey to foreigners full light and information concerning the occurrences which they relate. But a history which comprehends the transactions of so many different countries would be extremely imperfect without a previous survey of the constitution and political state of each. It is from his knowledge of these that the reader must draw those principles which will enable him to judge with discernment and to decide with certainty concerning the conduct of nations.

A minute detail, however, of the peculiar forms and regulations in every country would lead to deductions of immeasurable length. To sketch out the great lines which distinguish and characterize each government is all that the nature of my present work will admit of, and all that is necessary to illustrate the events which it records.

At the opening of the sixteenth century the political aspect of Italy was extremely different from that of any other part of Europe. Instead of those extensive monarchies which occupied the rest of the continent, that delightful country was parcelled out among many small states, each of which possessed sovereign and independent jurisdiction. The only monarchy in Italy was that of Naples. The dominion of the popes was of a peculiar species, to which there is nothing similar either in ancient or modern times. In Venice, Florence, and Genoa, a republican form of government was established. Milan was subject to sovereigns, who had assumed no higher title than that of dukes.

The pope was the first of these powers in dignity, and not the least considerable by the extent of his territories. In the primitive church, the jurisdiction of bishops was equal and co-ordinate. They derived, perhaps, some degree of consideration from the dignity of the see in which they presided. They possessed, however, no real authority or pre-eminence but what they acquired by superior abilities or superior sanctity. As Rome had so long been the seat of empire and the capital of the world, its bishops were on that account entitled to respect; they received it; but during several ages they received, and even claimed, nothing more. From these humble beginnings they advanced with such adventurous and well-directed ambition that they established a spiritual dominion over the minds and sentiments of men, to which all Europe submitted with implicit obedience. Their claim of universal jurisdiction, as heads of the Church, and their pretensions to infallibility in their decisions, as successors of St. Peter, are as chimerical as they are repugnant to the genius of the Christian religion. But on these foundations the superstition and credulity of mankind enabled them to erect an amazing superstructure. In all ecclesiastical controversies their decisions were received as the infallible oracles of truth. Nor was the plentitude of their power confined solely to what was spiritual: they dethroned monarchs, disposed of crowns, absolved subjects from the obedience due to their sovereigns, and laid kingdoms under interdicts. There was not a state in Europe which had not been disquieted by their ambition; there was not a throne which they had not shaken, nor a prince who did not tremble at their power.

Nothing was wanting to render this empire absolute, and to establish it on the ruins of all civil authority, but that the popes should have possessed such

a degree of temporal power as was sufficient to second and enforce their spiritual decrees. Happily for mankind, at the time when their spiritual jurisdiction was most extensive and most revered, their secular dominion was extremely limited. They were powerful pontiffs, formidable at a distance; but they were petty princes, without any considerable domestic force. They had early endeavoured, indeed, to acquire territory by arts similar to those which they had employed in extending their spiritual jurisdiction. Under pretence of a donation from Constantine, and of another from Charlemagne or his father Pepin, they attempted to take possession of some towns adjacent to Rome. But these donations were fictitious and availed them little. The benefactions for which they were indebted to the credulity of the Norman adventurers who conquered Naples, and to the superstition of the Countess Matilda, were real, and added ample domains to the holy see.

But the power of the popes did not increase in proportion to the extent of territory which they had acquired. In the dominions annexed to the holy see, as well as in those subject to other princes in Italy, the sovereign of a state was far from having the command of a force which it contained. During the turbulence and confusion of the Middle Ages, the powerful nobility or leaders of popular factions in Italy had seized the government of different towns; and, after strengthening their fortifications and taking a body of mercenaries into pay, they aspired at independence. The territory which the Church had gained was filled with petty lords of this kind, who left the pope hardly the shadow of dominion.

As these usurpations almost annihilated the papal power in the greater part of the towns subject to the Church, the Roman barons frequently disputed the authority of the popes, even in Rome itself. In the twelfth century an opinion began to be propagated, "That as the function of ecclesiastics was purely spiritual, they ought to possess no property, and to claim no temporal jurisdiction, but, according to the laudable example of their predecessors in the primitive church, should subsist wholly upon their tithes, or upon the voluntary oblations of the people."[1] This doctrine being addressed to men who had beheld the scandalous manner in which the avarice and ambition of the clergy had prompted them to contend for wealth and to exercise power, they listened to it with fond attention. The Roman barons, who had felt most sensibly the rigour of ecclesiastical oppression, adopted these sentiments with such ardour that they set themselves instantly to shake off the yoke. They endeavoured to restore some image of their ancient liberty, by reviving the institution of the Roman senate, in which they vested supreme authority; committing the executive power sometimes to one chief senator, sometimes to two, and sometimes to a magistrate dignified with the name of *The Patrician*. The popes exerted them with vigour, in order to check this dangerous encroachment on their jurisdiction. One of them, finding all his endeavours ineffectual, was so much mortified that extreme grief cut short his days. Another, having ventured to attack the senators at the head of some armed men, was mortally wounded in the fray.[2] During a considerable period, the power of the popes, before which the greatest monarchs in Europe trembled, was circumscribed within such narrow limits in their own capital that they durst hardly exert any act of authority without the permission and concurrence of the senate.

Encroachments were made upon the papal sovereignty, not only by the

[1] Otto Frisingensis de Gestis Frider. Imp., lib. ii. cap. 10. —Id. de Gest. Frid., lib. i. c. 27.—Muratori, Annali d'Italia, vol. ix. pp. 398–404.

[2] Otto Frising., Chron., lib. vii. cap. 27, 31.

usurpations of the Roman nobility, but by the mutinous spirit of the people. During seventy years of the fourteenth century the popes fixed their residence in Avignon. The inhabitants of Rome, accustomed to consider themselves as the descendants of the people who had conquered the world and had given laws to it, were too high-spirited to submit with patience to the delegated authority of those persons to whom the popes committed the government of the city. On many occasions they opposed the execution of the papal mandates, and on the slightest appearance of innovation or oppression they were ready to take arms in defence of their own immunities. Towards the middle of the fourteenth century, being instigated by Nicholas Rienzo, a man of low birth and a seditious spirit, but of popular eloquence and an enterprising ambition, they drove all the nobility out of the city, established a democratical form of government, elected Rienzo tribune of the people, and invested him with extensive authority. But though the frantic proceedings of the tribune soon overturned this new system, though the government of Rome was reinstated in its ancient form, yet every fresh attack contributed to weaken the papal jurisdiction; and the turbulence of the people concurred with the spirit of independence among the nobility in circumscribing it more and more.[3] Gregory VII. and other domineering pontiffs accomplished those great things which rendered them so formidable to the emperors with whom they contended, not by the force of their arms or by the extent of their power, but by the dread of their spiritual censures and by the effect of their intrigues, which excited rivals and called forth enemies against every prince whom they wished to depress or to destroy.

Many attempts were made by the popes, not only to humble those usurpers who lorded it over the cities in the ecclesiastical state, but to break the turbulent spirit of the Roman people. These were long unsuccessful. But at last Alexander VI., with a policy no less artful than flagitious, subdued or extirpated most of the great Roman barons, and rendered the popes masters of their own dominions. The enterprising ambition of Julius II. added conquests of no inconsiderable value to the patrimony of St. Peter. Thus the popes, by degrees, became powerful temporal princes. Their territories, in the age of Charles V., were of greater extent than at present; their country seems to have been better cultivated, as well as more populous; and, as they drew large contributions from every part of Europe, their revenues far exceeded those of the neighbouring powers, and rendered them capable of more sudden and vigorous efforts.

The genius of the papal government, however, was better adapted to the exercise of spiritual dominion than of temporal power. With respect to the former, all its maxims were steady and invariable; every new pontiff adopted the plan of his predecessor. By education and habit, ecclesiastics were so formed that the character of the individual was sunk in that of the profession, and the passions of the man were sacrified to the interest and honour of the order. The hands which held the reins of administration might change, but the spirit which conducted them was always the same. While the measures of other governments fluctuated, and the objects at which they aimed varied, the Church kept one end in view; and to this unrelaxing constancy of pursuit it was indebted for its success in the boldest attempts ever made by human ambition.

But in their civil administration the popes followed no such uniform or

[3] Histoire Florentine de Giov. Villani, liv. xii. c. 89, 104, ap. Murat., Script. Rerum Ital., vol. xiii.—Vita di Cola di Rienzo, ap. Murat., Antiq. Ital., vol. iii. p. 399, etc.—Hist. de Nic. Rienzy, par M. de Boispréaux, p. 91, etc.

consistent plan. There, as in other governments, the character, the passions, and the interest of the person who had the supreme direction of affairs occasioned a variation both in objects and measures. As few prelates reached the summit of ecclesiastical dignity until they were far advanced in life, a change of masters was more frequent in the papal dominions than in other states, and the political system was, of course, less stable and permanent. Every pope was eager to make the most of the short period during which he had the prospect of enjoying power, in order to aggrandize his own family and to attain his private ends; and it was often the first business of his successor to undo all that he had done, and to overturn what he had established.

As ecclesiastics were trained to pacific arts, and early initiated in the mysteries of that policy by which the court of Rome extended or supported its spiritual dominion, the popes, in the conduct of their temporal affairs, were apt to follow the same maxims, and in all their measures were more ready to employ the refinements of intrigue than the force of arms. It was in the papal court that address and subtlety in negotiation became a science; and during the sixteenth century Rome was considered as the school in which it might be best acquired.

As the decorum of their ecclesiastical character prevented the popes from placing themselves at the head of their armies or from taking the command in person of the military force in their dominions, they were afraid to arm their subjects; and in all their operations, whether offensive or defensive, they trusted entirely to mercenary troops.

As their power and dominions could not descend to their posterity, the popes were less solicitous than other princes to form or to encourage schemes of public utility and improvement. Their tenure was only for a short life; present advantage was what they chiefly studied; to squeeze and to amass, rather than to ameliorate, was their object. They erected, perhaps, some work of ostentation, to remain as a monument of their pontificate; they found it necessary, at some times, to establish useful institutions, in order to soothe and silence the turbulent populace of Rome; but plans of general benefit of their subjects, framed with a view to futurity, were rarely objects of attention in the papal policy. The patrimony of St. Peter was worse governed than any part of Europe; and though a generous pontiff might suspend for a little, or counteract, the effects of those vices which are peculiar to the administration of ecclesiastics, the disease not only remained without remedy, but has gone on increasing from age to age; and the decline of the state has kept pace with its progress.

One circumstance farther, concerning the papal government, is so singular as to merit attention. As the spiritual supremacy and temporal power were united in one person, and uniformly aided each other in their operations, they became so blended together that it was difficult to separate them, even in imagination. The potentates who found it necessary to oppose the measures which the popes pursued as temporal princes could not easily divest themselves of the reverence which they imagined to be due to them as heads of the Church and vicars of Jesus Christ. It was with reluctance that they could be brought to a rupture with the head of the Church; they were unwilling to push their operations against him to extremity; they listened eagerly to the first overtures of accommodation, and were anxious to procure it almost upon any terms. Their consciousness of this encouraged the enterprising pontiffs who filled the papal throne about the beginning of the sixteenth century to engage in schemes seemingly the most extravagant. They trusted that, if their temporal power was not sufficient to carry them through with success,

the respect paid to their spiritual dignity would enable them to extricate themselves with facility and with honour.[4] But when popes came to take part more frequently in the contests among princes, and to engage as principals or auxiliaries in every war kindled in Europe, this veneration for their sacred character began to abate; and striking instances will occur in the following history of its being almost totally extinct.

Of all the Italian powers, the republic of Venice, next to the papal see, was most connected with the rest of Europe. The rise of that commonwealth during the inroads of the Huns in the fifth century, the singular situation of its capital in the small isles of the Adriatic gulf, and the more singular form of its civil constitution, are generally known. If we view the Venetian government as calculated for the order of nobles alone, its institutions may be pronounced excellent; the deliberative, legislative, and executive powers are so admirably distributed and adjusted that it must be regarded as a perfect model of political wisdom. But if we consider it as formed for a numerous body of people subject to its jurisdiction, it will appear a rigid and partial aristocracy, which lodges all power in the hands of a few members of the community, while it degrades and oppresses the rest.

The spirit of government in a commonwealth of this species was, of course, timid and jealous. The Venetian nobles distrusted their own subjects, and were afraid of allowing them the use of arms. They encouraged among them arts of industry and commerce, they employed them in manufactures and in navigation, but never admitted them into the troops which the state kept in its pay. The military force of the republic consisted entirely of foreign mercenaries. The command of these was never trusted to noble Venetians, lest they should acquire such influence over the army as might endanger the public liberty, or become accustomed to the exercise of such power as would make them unwilling to return to the condition of private citizens. A soldier of fortune was placed at the head of the armies of the commonwealth; and to obtain that honour was the great object of the Italian *condottieri*, or leaders of bands, who in the fifteenth and sixteenth centuries made a trade of war and raised and hired out soldiers to different states. But the same suspicious policy which induced the Venetians to employ these adventurers prevented their placing entire confidence in them. Two noblemen, appointed by the senate, accompanied their army when it took the field, with the appellation of *proveditori*, and, like the field deputies of the Dutch republic in latter times, observed all the motions of the general and checked and controlled him in all his operations.

A commonwealth with such civil and military institutions was not formed to make conquests. While its subjects were disarmed, and its nobles excluded

[4] The manner in which Louis XII. of France undertook and carried on war against Julius II. remarkably illustrates this observation. Louis solemnly consulted the clergy of France whether it was lawful to take arms against a pope who had wantonly kindled war in Europe, and whom neither the faith of treaties, nor gratitude for favours received, nor the decorum of his character, could restrain from the most violent actions to which the lust of power prompts ambitious princes. Though his clergy authorized the war, yet Anne of Bretagne, his queen, entertained scruples with regard to the lawfulness of it. The king himself, from some superstition of the same kind, carried it on faintly, and, upon every fresh advantage, renewed his propositions of peace. (Mézéray, Hist. de France, fol. edit., 1685, tom. i. p. 852.) I shall produce another proof of this reverence for the papal character, still more striking. Guicciardini, the most sagacious, perhaps, of all modern historians, and the boldest in painting the vices and ambition of the popes, represents the death of Migliau, a Spanish officer who was killed during the siege of Naples, as a punishment inflicted on him by Heaven on account of his having opposed the setting of Clement VII. at liberty. Guicciardini, Istoria d'Italia, Genev., 1645, vol. ii. lib. 18, p. 467.

from military command, it carried on its warlike enterprises with great disadvantage. This ought to have taught the Venetians to rest satisfied with making self-preservation, and the enjoyment of domestic security, the objects of their policy. But republics are apt to be seduced by the spirit of ambition, as well as kings. When the Venetians so far forgot the interior defects in their government as to aim at extensive conquests, the fatal blow which they received in the war excited by the league of Cambray convinced them of the imprudence and danger of making violent efforts in opposition to the genius and tendency of their constitution.

It is not, however, by its military, but by its naval and commercial power that the importance of the Venetian commonwealth must be estimated. The latter constituted the real force and nerves of the state. The jealousy of government did not extend to this department. Nothing was apprehended from this quarter that could prove formidable to liberty. The senate encouraged the nobles to trade, and to serve on board the fleet. They became merchants and admirals. They increased the wealth of their country by their industry. They added to its dominions by the valour with which they conducted its naval armaments.

Commerce was an inexhaustible source of opulence to the Venetians. All the nations in Europe depended upon them, not only for the commodities of the East, but for various manufactures fabricated by them alone, or finished with a dexterity and elegance unknown in other countries. From this extensive commerce the state derived such immense supplies as concealed those vices in its constitution which I have mentioned, and enabled it to keep on foot such armies as were not only an over-match for the force which any of its neighbours could bring into the field, but were sufficient to contend, for some time, with the powerful monarchs beyond the Alps. During its struggles with the princes united against it by the league at Cambray, the republic levied sums which even in the present age would be deemed considerable; and while the king of France paid the exorbitant interest which I have mentioned for the money advanced to him, and the emperor, eager to borrow, but destitute of credit, was known by the name of *Maximilian the Moneyless*, the Venetians raised whatever sums they pleased, at the moderate premium of five in the hundred.[5]

The constitution of Florence was perfectly the reverse of the Venetian. It partook as much of democratical turbulence and licentiousness, as the other of aristocratical rigour. Florence, however, was a commercial, not a military democracy. The nature of its institutions was favourable to commerce, and the genius of the people was turned towards it. The vast wealth which the family of Medici had acquired by trade, together with the magnificence, the generosity, and the virtue of the first Cosmo, gave him such an ascendant over the affections as well as the counsels of his countrymen that though the forms of popular government were preserved, though the various departments of administration were filled by magistrates distinguished by the ancient names and elected in the usual manner, he was in reality the head of the commonwealth, and in the station of a private citizen he possessed supreme authority. Cosmo transmitted a considerable degree of this power to his descendants; and during a greater part of the fifteenth century the political state of Florence was extremely singular. The appearance of republican government subsisted, the people were passionately attached to it, and on some occasions contended warmly for their privileges; and yet they permitted a single family to assume

[5] Hist. de la Ligue faite à Cambray, par M. l'Abbé du Bos, liv. v.—Sandi, Storia civile Veneziana, liv. viii. c. 16, p. 891, etc.

the direction of their affairs, almost as absolutely as if it had been formally invested with sovereign power. The jealousy of the Medici concurred with the commercial spirit of the Florentines in putting the military force of the republic upon the same footing with that of the other Italian states. The troops which the Florentines employed in their wars consisted almost entirely of mercenary soldiers, furnished by the *condottieri*, or leaders of bands, whom they took into their pay.

In the kingdom of Naples, to which the sovereignty of the island of Sicily was annexed, the feudal government was established in the same form and with the same defects as in the other nations of Europe. The frequent and violent revolutions which happened in that monarchy had considerably increased these defects, and rendered them more intolerable. The succession to the crown of Naples had been so often interrupted or altered, and so many princes of foreign blood had at different periods obtained possession of the throne, that the Neapolitan nobility had lost in a great measure that attachment to the family of their sovereigns, as well as that reverence for their persons, which in other feudal kingdoms contributed to set some bounds to the encroachments of the barons upon the royal prerogative and power. At the same time, the different pretenders to the crown being obliged to court the barons who adhered to them and on whose support they depended for the success of their claims, they augmented their privileges by liberal concessions and connived at their boldest usurpations. Even when seated on the throne, it was dangerous for a prince who held his sceptre by a disputed title to venture on any step towards extending his own power or circumscribing that of the nobles.

From all these causes, the kingdom of Naples was the most turbulent of any in Europe, and the authority of its monarchs the least extensive. Though Ferdinand I., who began his reign in the year 1468, attempted to break the power of the aristocracy, though his son Alphonso, that he might crush it at once by cutting off the leaders of greatest reputation and influence among the Neapolitan barons, ventured to commit one of the most perfidious and cruel actions recorded in history, the order of nobles was nevertheless more exasperated than humbled by their measures.[6] The resentment which these outrages excited was so violent, and the power of the malecontent nobles was still so formidable, that to these may be ascribed, in a great degree, the ease and rapidity with which Charles VIII. conquered the kingdom of Naples.[7]

The event that gave rise to the violent contests concerning the succession to the crown of Naples and Sicily, which brought so many calamities upon these kingdoms, happened in the thirteenth century. Upon the death of the emperor Frederic II., Manfred, his natural son, aspiring to the Neapolitan throne, murdered his brother, the emperor Conrad (if we may believe contemporary historians), and by that crime obtained possession of it.[8] The popes, from their implacable enmity to the house of Swabia, not only refused to recognize Manfred's title, but endeavoured to excite against him some rival capable of wresting the sceptre out of his hand. Charles, count of Anjou, the brother of St. Louis, king of France, undertook this; and he received from the popes the investiture of the kingdom of Naples and Sicily as a fief held of the holy see. The count of Anjou's efforts were crowned with success; Manfred fell in battle; and he took possession of the vacant throne. But soon after, Charles sullied the glory which he had acquired by the injustice and cruelty

[6] Giannone, book xxviii. chap. 2, vol. ii. p. 410, etc.

[7] Id., ibid. p. 414.

[8] Struv., Corp. Hist. Germ., i. 481.—Giannone, book xviii. ch. 5.

with which he put to death, by the hands of the executioner, Conradin, the last prince of the house of Swabia, and the rightful heir of the Neapolitan crown. That gallant young prince asserted his title, to the last, with a courage worthy of a better fate. On the scaffold, he declared Peter, at that time prince, and soon after king, of Aragon, who had married Manfred's only daughter, his heir; and, throwing his glove among the people, he entreated that it might be carried to Peter, as the symbol by which he conveyed all his rights to him.[9] The desire of avenging the insult offered to royalty by the death of Conradin concurred with his own ambition in prompting Peter to take arms in support of the title which he had acquired. From that period during almost two centuries the houses of Aragon and Anjou contended for the crown of Naples. Amidst a succession of revolutions more rapid, as well as of crimes more atrocious, than what occur in the history of almost any other kingdom, monarchs sometimes of the Aragonese line and sometimes of the Angevin were seated on the throne. At length the princes of the house of Aragon obtained such firm possession of this long-disputed inheritance that they transmitted it quietly to a bastard branch of their family.[10] [1434.]

The race of the Angevin kings, however, was not extinct, nor had they relinquished their title to the Neapolitan crown. The count of Maine and Provence, the heir of this family, conveyed all his rights and pretensions to Louis XI. and to his successors. Charles VIII., as I have already related, crossed the Alps at the head of a powerful army in order to prosecute his claim with a degree of vigour far superior to that which the princes from whom he derived it had been capable of exerting. The rapid progress of his arms in Italy, as well as the short time during which he enjoyed the fruits of his success, have already been mentioned, and are well known. Frederic, the heir of the illegitimate branch of the Aragonese family, soon recovered the throne of which Charles had dispossessed him. Louis XII. and Ferdinand of Aragon united against this prince, whom both, though for different reasons, considered as a usurper and agreed to divide his dominions between them. Frederic, unable to resist the combined monarchs, each of whom was far his superior in power, resigned his sceptre. Louis and Ferdinand, though they had concurred in making the conquest, differed about the division of it, and from allies became enemies. But Gonsalvo de Córdova, partly by the exertion of such military talents as gave him a just title to the appellation of the *great captain*, which the Spanish historians have bestowed upon him, and partly by such shameless and frequent violations of the most solemn engagements as leave an indelible stain on his memory, stripped the French of all that they possessed in the Neapolitan dominions, and secured the peaceable possession of them to his master. These, together with his other kingdoms, Ferdinand transmitted to his grandson, Charles V., whose right to possess them, if not altogether uncontrovertible, seems at least to be as well founded as that which the kings of France set up in opposition to it.[11]

There is nothing in the political constitution or interior government of the duchy of Milan so remarkable as to require a particular explanation. But as the right of succession to that fertile province was the cause or the pretext of almost all the wars carried on in Italy during the reign of Charles V., it is necessary to trace these disputes to their source, and to inquire into the pretensions of the various competitors.

During the long and fierce contests excited in Italy by the violence of the

[9] Giannone, book xix. ch. 4, § 2.
[10] Ibid., book xxvi. ch. 2.
[11] Droits des Rois de France au Royaume de Sicile.—Mémoires de Comines, édit. de Fresnoy, tom. iv. part ii. p. 5.

Guelf and Ghibelline factions, the family of Visconti rose to great eminence among their fellow-citizens of Milan. As the Visconti had adhered uniformly to the Ghibelline or imperial interest, they, by way of recompense, received from one emperor the dignity of perpetual vicars of the empire in Italy;[12] they were created, by another, dukes of Milan; and, together with that title, the possession of the city and its territories was bestowed upon them as an hereditary fief.[13] John, king of France, among other expedients for raising money which the calamities of his reign obliged him to employ, condescended to give one of his daughters in marriage to John Galeazzo Visconti, the first duke of Milan, from whom he had received considerable sums. Valentine Visconti, one of the children of this marriage, married her cousin, Louis, duke of Orleans, the only brother of Charles VI. In their marriage-contract, which the pope confirmed, it was stipulated that upon failure of heirs male in the family of Visconti the duchy of Milan should descend to the posterity of Valentine and the duke of Orleans. That event took place. In the year 1447, Philip Maria, the last prince of the ducal family of Visconti, died. Various competitors claimed the succession. Charles, duke of Orleans, pleaded his right to it founded on the marriage-contract of his mother, Valentine Visconti. Alfonso, king of Naples, claimed it in consequence of a will made by Philip Maria in his favour. The emperor contended that upon the extinction of male issue in the family of Visconti the fief returned to the superior lord and ought to be re-annexed to the empire. The people of Milan, smitten with the love of liberty which in that age prevailed among the Italian states, declared against the dominion of any master, and established a republican form of government.

But during the struggle among so many competitors, the prize for which they contended was seized by one from whom none of them apprehended any danger. Francis Sforza, the natural son of Jacomuzzo Sforza, whom his courage and abilities had elevated from the rank of a peasant to be one of the most eminent and powerful of the Italian *condottieri*, having succeeded his father in the command of the adventurers who followed his standard, had married a natural daughter of the last duke of Milan. Upon this shadow of a title Francis founded his pretensions to the duchy, which he supported with such talents and valour as placed him at last on the ducal throne. The virtues, as well as abilities, with which he governed, inducing his subjects to forget the defects in his title, he transmitted his dominions quietly to his son; from whom they descended to his grandson. He was murdered by his grand-uncle Ludovico, surnamed the Moor, who took possession of the duchy; and his right to it was confirmed by the investiture of the emperor Maximilian, in the year 1494.[14]

Louis XI., who took pleasure in depressing the princes of the blood, and who admired the political abilities of Francis Sforza, would not permit the duke of Orleans to take any step in prosecution of his right to the duchy of Milan. Ludovico the Moor kept up such a close connection with Charles VIII. that during the greater part of his reign the claim of the family of Orleans continued to lie dormant. But when the crown of France devolved on Louis XII., duke of Orleans, he instantly asserted the rights of his family with the ardour which it was natural to expect, and marched at the head of a powerful army to support them. Ludovico Sforza, incapable of contending with such

[12] Petrarch., Epist., ap. Struv., Corp., i. 625.

[13] Leibnit., Cod. Jur. Gent. Diplom., vol. i. p. 257.

[14] Ripalm., Hist. Mediol., lib. vi. p. 654, ap. Struv., Corp., i. 930.—Du Mont, Corps. Diplom., tom. iii. p. ii. 333, ibid.

a rival, was stripped of all his dominions in the space of a few days. The king, clad in the ducal robes, entered Milan in triumph; and soon after, Ludovico, having been betrayed by the Swiss in his pay, was sent a prisoner into France, and shut up in the castle of Loches, where he lay unpitied during the remainder of his days. In consequence of one of the singular revolutions which occur so frequently in the history of the Milanese, his son, Maximilian Sforza, was placed on the ducal throne, of which he kept possession during the reign of Louis XII. But his successor, Francis I., was too high-spirited and enterprising tamely to relinquish his title. As soon as he was seated upon the throne, he prepared to invade the Milanese; and his right of succession to it appears, from this detail, to have been more natural and more just than that of any other competitor. [1512.]

It is unnecessary to enter into any detail with respect to the form of government in Genoa, Parma, Modena, and the other inferior states of Italy. Their names, indeed, will often occur in the following history. But the power of these states themselves was so inconsiderable that their fate depended little upon their own efforts; and the frequent revolutions which they underwent were brought about rather by the operations of the princes who attacked or defended them than by anything peculiar in their internal constitution.

Of the great kingdoms on this side of the Alps, Spain is one of the most considerable; and, as it was the hereditary domain of Charles V., as well as the chief source of his power and wealth, a distinct knowledge of its political constitution is of capital importance towards understanding the transactions of his reign.

The Vandals and Goths, who overturned the Roman power in Spain, established a form of government in that country, and introduced customs and laws perfectly similar to those which were established in the rest of Europe by the other victorious tribes which acquired settlements there. For some time, society advanced, among the new inhabitants of Spain, by the same steps, and seemed to hold the same course, as in other European nations. To this progress a sudden stop was put by the invasion of the Saracens or Moors from Africa. The Goths could not withstand the efforts of their enthusiastic valour, which subdued the greatest part of Spain with the same impetuous rapidity that distinguishes all the operations of their arms. The conquerors introduced into the country in which they settled the Mahometan religion, the Arabic language, the manners of the East, together with that taste for the arts and that love of elegance and splendour which the Caliphs had begun to cultivate among their subjects. [712.]

Such Gothic nobles as disdained to submit to the Moorish yoke fled for refuge to the inaccessible mountains of Asturias. There they comforted themselves with enjoying the exercise of the Christian religion and with maintaining the authority of their ancient laws. Being joined by many of the boldest and most warlike among their countrymen, they sallied out upon the adjacent settlements of the Moors in small parties; but, venturing only upon short excursions at first, they were satisfied with plunder and revenge, without thinking of conquest. By degrees their strength increased, their views enlarged, a regular government was established among them, and they began to aim at extending their territories. While they pushed on their attacks with the unremitting ardour excited by zeal for religion, by the desire of vengeance, and by the hope of rescuing their country from oppression, while they conducted their operations with the courage natural to men who had no other occupation but war, and who were strangers to all the arts which corrupt or enfeeble the mind, the Moors gradually lost many of the advantages

to which they had been indebted for their first success. They threw off all dependence on the Caliphs;[15] they neglected to preserve a close connection with their countrymen in Africa; their empire in Spain was split into many small kingdoms; the arts which they cultivated, together with the luxury to which these gave rise, relaxed in some measure the force of their military institutions and abated the vigour of their warlike spirit. The Moors, however, continued still to be a gallant people, and possessed great resources. According to the magnificent style of the Spanish historians, eight centuries of almost uninterrupted war elapsed, and three thousand seven hundred battles were fought, before the last of the Moorish kingdoms in Spain submitted to the Christian arms. [1492.]

As the Christians made their conquests upon the Mahometans at various periods and under different leaders, each formed the territory which he had wrested from the common enemy into an independent state. Spain was divided into almost as many separate kingdoms as it contained provinces; in each city of note a petty monarch established his throne and assumed all the ensigns of royalty. In a series of years, however, by the usual events of intermarriages, or succession, or conquest, all these inferior principalities were annexed to the more powerful kingdoms of Castile and of Aragon. At length, by the fortunate marriage of Ferdinand and Isabella, the former the hereditary monarch of Aragon, and the latter raised to the throne of Castile by the affection of her subjects, all the Spanish crowns were united, and descended in the same line. [1481.]

From this period the political constitution of Spain began to assume a regular and uniform appearance; the genius of its government may be delineated, and the progress of its laws and manners may be traced, with certainty. Notwithstanding the singular revolution which the invasion of the Moors occasioned in Spain, and the peculiarity of its fate in being so long subject to the Mahometan yoke, the customs introduced by the Vandals and Goths had taken such deep root, and were so thoroughly incorporated with the frame of its government, that in every province which the Christians recovered from the Moors we find the condition of individuals, as well as the political constitution, nearly the same as in other nations of Europe. Lands were held by the same tenure; justice was dispensed in the same form; the same privileges were claimed by the nobility, and the same power exercised by the cortes, or general assembly of the kingdom. Several circumstances contributed to secure this permanence of the feudal institutions in Spain, notwithstanding the conquests of the Moors, which seemed to have overturned them. Such of the Spaniards as preserved their independence adhered to their ancient customs, not only from attachment to them, but out of antipathy to the Moors, to whose ideas concerning property and government these customs were totally repugnant. Even among the Christians who submitted to the Moorish conquerors and consented to become their subjects, ancient customs were not entirely abolished. They were permitted to retain their religion, their laws concerning private property, their forms of administering justice, and their mode of levying taxes. The followers of Mahomet are the only enthusiasts who have united the spirit of toleration with zeal for making proselytes, and who, at the same time that they took arms to propagate the doctrine of their prophet, permitted such as would not embrace it to adhere to their own tenets and to practise their own rites. To this peculiarity in the genius of the Mahometan religion, as well as to the desire which the Moors had of reconciling the Christians to their yoke, it was owing that the ancient manners and laws in

[15] Jos. Sim. Assemanni, Histor. Ital. Scriptores, vol. iii. p. 135.

Spain survived the violent shock of a conquest, and were permitted to subsist notwithstanding the introduction of a new religion and a new form of government into that country. It is obvious from all these particulars that the Christians must have found it extremely easy to re-establish manners and government on their ancient foundations in those provinces of Spain which they wrested successively from the Moors. A considerable part of the people retained such a fondness for the customs and such a reverence for the laws of their ancestors that, wishing to see them completely restored, they were not only willing but eager to resume the former and to recognize the authority of the latter.

But though the feudal form of government, with all the institutions which characterize it, was thus preserved in Castile and Aragon, as well as in all the kingdoms which depended on these crowns, there were certain peculiarities in their political constitutions which distinguish them from those of any other country in Europe. The royal prerogative, extremely limited in every feudal kingdom, was circumscribed in Spain within such narrow bounds as reduced the power of the sovereign almost to nothing. The privileges of the nobility were great in proportion, and extended so far as to border on absolute independence. The immunities of the cities were likewise greater than in other feudal kingdoms; they possessed considerable influence in the cortes, and they aspired at obtaining more. Such a state of society, in which the political machine was so ill adjusted and the several members of the legislature so improperly balanced, produced internal disorders in the kingdoms of Spain, which rose beyond the pitch of turbulence and anarchy usual under the feudal government. The whole tenor of the Spanish history confirms the truth of this observation; and when the mutinous spirit to which the genius of their policy gave birth and vigour was no longer restrained and overawed by the immediate dread of the Moorish arms, it broke out into more frequent insurrections against the government of their princes, as well as more outrageous insults on their dignity, than occur in the annals of any other country. These were accompanied at some times with more liberal sentiments concerning the rights of the people, at other times with more elevated notions concerning the privileges of the nobles, than were common in other nations.

In the principality of Catalonia, which was annexed to the kingdom of Aragon, the impatience of the people to obtain a redress of their grievances having prompted them to take arms against their sovereign, John II., they, by a solemn deed, recalled the oath of allegiance which they had sworn to him, declared him and his posterity to be unworthy of the throne,[16] and endeavoured to establish a republican form of government, in order to secure the perpetual enjoyment of that liberty after which they aspired.[17] Nearly about the same period, the indignation of the Castilian nobility against the weak and flagitious administration of Henry IV. having led them to combine against him, they arrogated, as one of the privileges belonging to their order, the right of trying and of passing sentence on their sovereign. That the exercise of this power might be as public and solemn as the pretension to it was bold, they summoned all the nobility of their party to meet at Avila; a spacious theatre was erected in a plain without the walls of the town; an image representing the king was seated on a throne, clad in royal robes, with a crown on its head, a sceptre in its hand, and the sword of justice by its side. The accusation against the king was read, and the sentence of deposition was pronounced, in presence of

[16] Zurita, Anales de Arag., tom. iv. pp. 113, 115, etc.

[17] Ferrera, Hist. d'Espagne, tom. vii. p. 92.—P. Orléans, Révol. d'Espagne, tom. iii. p. 155.—L. Marinæus Siculus, De Reb Hispan., apud Schotti Script. Hispan., fol. 429.

a numerous assembly. At the close of the first article of the charge, the archbishop of Toledo advanced and tore the crown from the head of the image; at the close of the second, the Conde de Placentia snatched the sword of justice from its side; at the close of the third, the Conde de Benevente wrested the sceptre from its hand; at the close of the last, Don Diego Lopes de Stuniga tumbled it headlong from the throne. At the same instant, Don Alfonso, Henry's brother, was proclaimed king of Castile and Leon in his stead.[18]

The most daring leaders of faction would not have ventured on these measures, nor have conducted them with such public ceremony, if the sentiments of the people concerning the royal dignity had not been so formed by the laws and policy to which they were accustomed, both in Castile and Catalonia, as prepared them to approve of such extraordinary proceedings, or to acquiesce in them.

In Aragon the form of government was monarchical, but the genius and maxims of it were purely republican. The kings, who were long elective, retained only the shadow of power; the real exercise of it was in the cortes, or parliament of the kingdom. This supreme assembly was composed of four different *arms* or members: the nobility of the first rank; the equestrian order, or nobility of the second class; the representatives of the cities and towns, whose right to a place in the cortes, if we may give credit to the historians of Aragon, was coeval with the constitution; the ecclesiastical order, composed of the dignitaries of the church, together with the representatives of the inferior clergy.[19] No law could pass in this assembly without the assent of every single member who had a right to vote.[20] Without the permission of the cortes no tax could be imposed, no war could be declared, no peace could be concluded, no money could be coined, nor could any alteration be made in the current specie.[21] The power of reviewing the proceedings of all inferior courts, the privilege of inspecting every department of administration, and the right of redressing all grievances, belonged to the cortes. Nor did those who conceived themselves to be aggrieved address the cortes in the humble tone of supplicants and petition for redress: they demanded it as the birthright of freemen, and required the guardians of their liberty to decide with respect to the points which they laid before them.[22] This sovereign court was held during several centuries every year; but, in consequence of a regulation introduced about the beginning of the fourteenth century, it was convoked from that period only once in two years. After it was assembled, the king had no right to prorogue or dissolve it without its own consent; and the session continued forty days.[23]

Not satisfied with having erected such formidable barriers against the encroachments of the royal prerogative, nor willing to commit the sole guardianship of their liberties entirely to the vigilance and authority of an assembly similar to the diets, states-general, and parliaments in which the other feudal nations have placed so much confidence, the Aragonese had recourse to an institution peculiar to themselves, and elected a *justiza*, or supreme judge. This magistrate, whose office bore some resemblance to that of the ephori in ancient Sparta, acted as the protector of the people and the controller of the prince. The person of the justiza was sacred, his power and jurisdiction almost unbounded. He was the supreme interpreter of the laws. Not only inferior judges, but the kings themselves, were bound to consult him in every

[18] Marian., Hist., lib. xxxiii. c. 9. [1465.]
[19] Forma de celebrar Cortes en Aragon, por Geron. Martel.
[20] Martel, ibid., p. 2.
[21] Hier. Blanca, Comment. Rer. Aragon., ap. Schot. Script. Hispan., vol. iii. p. 750.
[22] Martel, Forma de celebrar, p. 2.
[23] Hier. Blanca, Comment., p. 763.

doubtful case and to receive his responses with implicit deference.[24] An appeal lay to him from the royal judges, as well as from those appointed by the barons within their respective territories. Even when no appeal was made to him, he could interpose by his own authority, prohibit the ordinary judge to proceed, take immediate cognizance of the cause himself, and remove the party accused to the *manifestation*, or prison of the state, to which no person had access but by his permission. His power was exerted with no less vigour and effect in superintending the administration of government than in regulating the course of justice. It was the prerogative of the justiza to inspect the conduct of the king. He had a title to review all the royal proclamations and patents, and to declare whether or not they were agreeable to law and ought to be carried into execution. He, by his sole authority, could exclude any of the king's ministers from the conduct of affairs and call them to answer for their maladministration. He himself was accountable to the cortes only for the manner in which he discharged the duties of this high office and performed functions of the greatest importance that could be committed to a subject.[25]

It is evident, from a bare enumeration of the privileges of the Aragonese cortes, as well as of the rights belonging to the justiza, that a very small portion of power remained in the hands of the king. The Aragonese seem to have been solicitous that their monarchs should know and feel this state of impotence to which they were reduced. Even in swearing allegiance to their sovereign, an act which ought naturally to be accompanied with professions of submission and respect, they devised an oath in such a form as to remind him of his dependence on his subjects. "We," said the justiza to the king in the name of his high-spirited barons, "who are each of us as good, and who are altogether more powerful than you, promise obedience to your government if you maintain our rights and liberties; but if not, not." Conformably to this oath they established it as a fundamental article in their constitution that if the king should violate their rights and privileges it was lawful for the people to disclaim him as their sovereign, and to elect another, even though a heathen, in his place.[26] The attachment of the Aragonese to this singular constitution of government was extreme, and their respect for it approached to superstitious veneration.[27] In the preamble to one of their laws they declare that such was the barrenness of their country, and the poverty of the inhabitants, that, if it were not on account of the liberties by which they were distinguished from other nations, the people would abandon it and go in quest of a settlement to some more fruitful region.[28]

In Castile there were not such peculiarities in the form of government as to establish any remarkable distinction between it and that of the other European nations. The executive part of government was committed to the king, but with a prerogative extremely limited. The legislative authority resided in the cortes, which was composed of the nobility, the dignified ecclesiastics, and the representatives of the cities. The assembly of the cortes in Castile was very ancient, and seems to have been almost coeval with the constitution. The members of the three different orders, who had a right of suffrage, met in one place and deliberated as one collective body, the decisions of which were regulated by the sentiments of the majority. The right of imposing taxes, of enacting laws, and of redressing grievances belonged to this assembly; and,

[24] Blanca has preserved two responses of the justiza to James II., who reigned towards the close of the thirteenth century. Blanca, p. 748.

[25] Note XXXI.—Hier. Blanca, Comment., pp. 747, 755.

[26] Hier. Blanca, Comment., p. 720.

[27] Note XXXII.

[28] Hier. Blanca, Comment., p. 751.

in order to secure the assent of the king to such statutes and regulations as were deemed salutary or beneficial to the kingdom, it was usual in the cortes to take no step towards granting money until all business relative to the public welfare was concluded. The representatives of cities seem to have obtained a seat very early in the cortes of Castile, and soon acquired such influence and credit as were very uncommon at a period when the splendour and pre-eminence of the nobility had eclipsed or depressed all other orders of men. The number of members from cities bore such a proportion to that of the whole collective body as rendered them extremely respectable in the cortes.[29] The degree of consideration which they possessed in the state may be estimated by one event. Upon the death of John I. a council of regency was appointed to govern the kingdom during the minority of his son. It was composed of an equal number of noblemen and of deputies chosen by the cities; the latter were admitted to the same rank and invested with the same powers as prelates and grandees of the first order.[30] But though the members of communities in Castile were elevated above the condition wherein they were placed in other kingdoms of Europe, though they had attained to such political importance that even the proud and jealous spirit of the feudal aristocracy could not exclude them from a considerable share in government, yet the nobles, notwithstanding these acquisitions of the commons, continued to assert the privileges of their order, in opposition to the crown, in a tone extremely high. There was not anybody of nobility in Europe more distinguished for independence of spirit, haughtiness of deportment, and bold pretensions than that of Castile. The history of that monarchy affords the most striking examples of the vigilance with which they observed, and of the vigour with which they opposed, every measure of their kings that tended to encroach on their jurisdiction, to diminish their dignity, or to abridge their power. Even in their ordinary intercourse with their monarchs they preserved such a consciousness of their rank that the nobles of the first order claimed it as a privilege to be covered in the royal presence, and approached their sovereigns rather as equals than as subjects.

The constitutions of the subordinate monarchies which depended on the crowns of Castile and Aragon nearly resembled those of the kingdoms to which they were annexed. In all of them, the dignity and independence of the nobles were great, the immunities and power of the cities were considerable.

An attentive observation of the singular situation of Spain, as well as the various events which occurred there from the invasion of the Moors to the union of its kingdom under Ferdinand and Isabella, will discover the causes to which all the peculiarities in its political constitution I have pointed out ought to be ascribed.

As the provinces of Spain were wrested from the Mahometans gradually and with difficulty, the nobles who followed the standard of any eminent leader in these wars conquered not for him alone, but for themselves. They claimed a share in the lands which their valour had won from the enemy, and their prosperity and power increased in proportion as the territory of the prince extended.

During their perpetual wars with the Moors, the monarchs of the several kingdoms in Spain depended so much on their nobles that it became necessary to conciliate their good will by successive grants of new honours and privileges. By the time that any prince could establish his dominion in a conquered province, the greater part of the territory was parcelled out by him among his

[29] Note XXXIII.

[30] Marian., Hist., lib. xviii. c. 15.

barons, with such jurisdiction and immunities as raised them almost to sovereign power.

At the same time, the kingdoms erected in so many different corners of Spain were of inconsiderable extent. The petty monarch was but little elevated above his nobles. They, feeling themselves to be almost his equals, acted as such, and could not look up to the kings of such limited domains with the same reverence that the sovereigns of the great monarchies in Europe were viewed by their subjects.[21]

While these circumstances concurred in exalting the nobility and in depressing the royal authority, there were other causes which raised the cities in Spain to consideration and power.

As the open country, during the wars with the Moors, was perpetually exposed to the excursions of the enemy, with whom no peace or truce was so permanent as to prove any lasting security, self-preservation obliged persons of all ranks to fix their residence in places of strength. The castles of the barons, which in other countries afforded a commodious retreat from the depredations of banditti or from the transient violence of any interior commotion, were unable to resist an enemy whose operations were conducted with regular and persevering vigour. Cities, in which great numbers united for their mutual defence, were the only places in which people could reside with any prospect of safety. To this was owing the rapid growth of those cities in Spain of which the Christians recovered possession. All who fled from the Moorish yoke resorted to them, as to an asylum; and in them the greater part of those who took the field against the Mahometans established their families.

Several of these cities, during a longer or shorter course of years, were the capitals of little states, and enjoyed all the advantages which accelerate the increase of inhabitants in every place that is the seat of government.

From these concurring causes, the number of cities in Spain at the beginning of the fifteenth century had become considerable, and they were peopled far beyond the proportion which was common in other parts of Europe, except in Italy and the Low Countries. The Moors had introduced manufactures into those cities while under their dominion. The Christians, who, by intermixture with them, had learned their arts, continued to cultivate these. Trade, in several of the Spanish towns, appears to have been carried on with vigour; and the spirit of commerce continued to preserve the number of their inhabitants, as the sense of danger had first induced them to crowd together.

As the Spanish cities were populous, many of the inhabitants were of a rank superior to those who resided in towns in other countries of Europe. That cause which contributed chiefly to their population affected equally persons of every condition, who flocked thither promiscuously, in order to find shelter there, or in hopes of making a stand against the enemy with greater advantage than in any other station. The persons elected as their representatives in the cortes by the cities, or promoted to offices of trust and dignity in the government of the community, were often, as will appear from transactions which I shall hereafter relate, of such considerable rank in the kingdom as reflected lustre on their constituents and on the stations wherein they were placed.

As it was impossible to carry on a continual war against the Moors without some other military force than that which the barons were obliged to bring into the field in consequence of the feudal tenures, it became necessary to

[21] Note XXXIV.

have some troops, particularly a body of light cavalry, in constant pay. It was one of the privileges of the nobles that their lands were exempt from the burden of taxes. The charge of supporting the troops requisite for the public safety fell wholly upon the cities; and their kings, being obliged frequently to apply to them for aid, found it necessary to gain their favour by concessions, which not only extended their immunities, but added to their wealth and power.

When the influence of all these circumstances, peculiar to Spain, is added to the general and common causes which contributed to aggrandize cities in other countries of Europe, this will fully account for the extensive privileges which they acquired, as well as for the extraordinary consideration to which they attained, in all the Spanish kingdoms.[32]

By these exorbitant privileges of the nobility, and this unusual power of the cities, in Spain, the royal prerogative was hemmed in on every side and reduced within very narrow bounds. Sensible of this, and impatient of such restraint, several monarchs endeavoured, at various junctures and by different means, to enlarge their own jurisdiction. Their power, however, or their abilities, were so unequal to the undertaking that their efforts were attended with little success. But when Ferdinand and Isabella found themselves at the head of the united kingdoms of Spain and delivered from the danger and interruption of domestic wars, they were not only in a condition to resume, but were able to prosecute with advantage, the schemes for extending the prerogative which their ancestors had attempted in vain. Ferdinand's profound sagacity in concerting his measures, his persevering industry in conducting them, and his uncommon address in carrying them into execution, fitted him admirably for an undertaking which required all these talents.

As the overgrown power and high pretensions of the nobility were what the monarchs of Spain felt most sensibly and bore with the greatest impatience, the great object of Ferdinand's policy was to reduce these within more moderate bounds. Under various pretexts, sometimes by violence, more frequently in consequence of decrees obtained in the courts of law, he wrested from the barons a great part of the lands which had been granted to them by the inconsiderate bounty of former monarchs, particularly during the feeble and profuse reign of his predecessor, Henry IV. He did not give the entire conduct of affairs to persons of noble birth, who were accustomed to occupy every department of importance in peace or in war, as if it had been a privilege peculiar to their order to be employed as the sole counsellors and ministers of the crown. He often transacted business of great consequence without their intervention, and bestowed many offices of power and trust on new men, devoted to his interest.[33] He introduced a degree of state and dignity into his court which, being little known in Spain while it remained split into many small kingdoms, taught the nobles to approach their sovereign with more ceremony, and gradually rendered him the object of greater deference and respect.

The annexing the masterships of the three military orders of St. Jago, Calatrava, and Alcantara to the crown was another expedient by which Ferdinand greatly augmented the revenue and power of the kings of Spain. These orders were instituted, in imitation of those of the Knights Templars and of St. John of Jerusalem, on purpose to wage perpetual war with the Mahometans, and to protect the pilgrims who visited Compostella, or other places of eminent sanctity in Spain. The zeal and superstition of the ages in which they were founded prompted persons of every rank to bestow such

[32] Note XXXV.

[33] Zurita, Anales de Arag., tom. vi. p. 22.

liberal donations on those holy warriors that in a short time they engrossed a considerable share in the property and wealth of the kingdom. The masterships of these orders came to be stations of the greatest power and opulence to which a Spanish nobleman could be advanced. These high dignities were in the disposal of the knights of the order, and placed the persons on whom they conferred them almost on a level with their sovereign.[34] Ferdinand, unwilling that the nobility, whom he considered as already too formidable, should derive such additional credit and influence from possessing the government of these wealthy fraternities, was solicitous to wrest it out of their hands and to vest it in the crown. His measures for accomplishing this were wisely planned and executed with vigour.[35] By address, by promises, and by threats, he prevailed on the knights of each order to place Isabella and him at the head of it. Innocent VIII. and Alexander VI. gave this election the sanction of papal authority;[36] and subsequent pontiffs rendered the annexation of these masterships to the crown perpetual.

While Ferdinand by this measure diminished the power and influence of the nobility and added new lustre or authority to the crown, he was taking other important steps with a view to the same object. The sovereign jurisdiction which the feudal barons exercised within their own territories was the pride and distinction of their order. To have invaded openly a privilege which they prized so highly, and in defence of which they would have run so eagerly to arms, was a measure too daring for a prince of Ferdinand's cautious temper. He took advantage, however, of an opportunity which the state of his kingdoms and the spirit of his people presented him, in order to undermine what he durst not assault. The incessant depredations of the Moors, the want of discipline among the troops which were employed to oppose them, the frequent civil wars between the crown and the nobility, as well as the undiscerning rage with which the barons carried on their private wars with each other, filled all the provinces of Spain with disorder. Rapine, outrage, and murder became so common as not only to interrupt commerce, but in a great measure to suspend all intercourse between one place and another. That security and protection which men expect from entering into civil society ceased in a great degree. Internal order and police, while the feudal institutions remained in vigour, were so little objects of attention, and the administration of justice was so extremely feeble, that it would have been vain to have expected relief from the established laws or the ordinary judges. But the evil became so intolerable, and the inhabitants of cities, who were the chief sufferers, grew so impatient of this anarchy, that self-preservation forced them to have recourse to an extraordinary remedy. About the middle of the thirteenth century, the cities in the kingdom of Aragon, and, after their example, those in Castile, formed themselves into an association distinguished by the name of the *holy brotherhood*. They exacted a certain contribution from each of the associated towns; they levied a considerable body of troops, in order to protect travellers and to pursue criminals; they appointed judges, who opened their courts in various parts of the kingdom. Whoever was guilty of murder, robbery, or of any act that violated the public peace, and was seized by the troops of the *brotherhood*, was carried before judges of their nomination, who, without paying any regard to the exclusive and sovereign jurisdiction which the lord of the place might claim, tried and condemned the criminals. By the establishment of this fraternity the prompt and impartial

[34] Note XXXVI.
[35] Marian., Hist., lib. xxv. c. 5.
[36] Zurita, Anales, tom. v. p. 22. — Ælii Anton. Nebrissensis Rerum a Ferdinand. et Elizab. gestarum decades ii., apud Schot. Script. Hispan., i. 860.

administration of justice was restored, and, together with it, internal tranquillity and order began to return. The nobles alone murmured at this salutary institution. They complained of it as an encroachment on one of their most valuable privileges. They remonstrated against it in a high tone, and, on some occasions, refused to grant any aid to the crown unless it were abolished. Ferdinand, however, was sensible not only of the good effects of the holy brotherhood with respect to the police of his kingdoms, but perceived its tendency to abridge, and at length to annihilate, the territorial jurisdiction of the nobility. He countenanced it on every occasion. He supported it with the whole force of royal authority; and, besides the expedients employed by him in common with the other monarchs of Europe, he availed himself of this institution, which was peculiar to his kingdom, in order to limit and abolish that independent jurisdiction of the nobility, which was no less inconsistent with the authority of the prince than with the order of society.[37]

But though Ferdinand by these measures considerably enlarged the boundaries of his prerogative, and acquired a degree of influence and power far beyond what any of his predecessors had enjoyed, yet the limitations of the royal authority, as well as the barriers against its encroachments, continued to be many and strong. The spirit of liberty was vigorous among the people of Spain; the spirit of independence was high among the nobility; and though the love of glory, peculiar to the Spaniards in every period of their history, prompted them to support Ferdinand with zeal in his foreign operations, and to afford him such aid as enabled him not only to undertake but to execute great enterprises, he reigned over his subjects with a jurisdiction less extensive than that of any of the great monarchs in Europe. It will appear from many passages in the following history that during a considerable part of the reign of his successor Charles V. the prerogative of the Spanish crown was equally circumscribed.

The ancient government and laws in France so nearly resembled those of the other feudal kingdoms that such a detail with respect to them as was necessary, in order to convey some idea of the nature and effects of the peculiar institutions which took place in Spain, would be superfluous. In the view which I have exhibited of the means by which the French monarchs acquired such a full command of the national force of their kingdom as enabled them to engage in extensive schemes of foreign operation, I have already pointed out the great steps by which they advanced towards a more ample possession of political power and a more uncontrolled exercise of their royal prerogative. All that now remains is to take notice of such particulars in the constitution of France as serve either to distinguish it from that of other countries, or tend to throw any light on the transactions of that period to which the following History extends.

Under the French monarchs of the first race, the royal prerogative was very inconsiderable. The general assemblies of the nation, which met annually at stated seasons, extended their authority to every department of government. The power of electing kings, of enacting laws, of redressing grievances, of conferring donations on the prince, of passing judgment in the last resort, with respect to every person and to every cause, resided in this great convention of the nation. Under the second race of kings, notwithstanding the power and splendour which the conquests of Charlemagne added to the crown, the general assemblies of the nation continued to possess extensive authority. The right of determining which of the royal family should be placed on the throne was vested in them. The princes, elevated to that dignity by their

[37] Note XXXVII.

suffrage, were accustomed regularly to call and to consult them with respect to every affair of importance to the state, and without their consent no law was passed and no new tax was levied.

But by the time that Hugh Capet, the father of the third race of kings, took possession of the throne of France, such changes had happened in the political state of the kingdom as considerably affected the power and jurisdiction of the general assembly of the nation. The royal authority, in the hands of the degenerate posterity of Charlemagne, had dwindled into insignificance and contempt. Every considerable proprietor of land had formed his territory into a barony almost independent of the sovereign. The dukes or governors of provinces, the counts or governors of towns and small districts, and the great officers of the crown, had rendered these dignities, which originally were granted only during pleasure or for life, hereditary in their families. Each of these had usurped all the rights which hitherto had been deemed the distinctions of royalty, particularly the privileges of dispensing justice within their own domains, of coining money, and of waging war. Every district was governed by local customs, acknowledged a distinct lord, and pursued a separate interest. The formality of doing homage to their sovereign was almost the only act of subjection which those haughty barons would perform; and that bound them no farther than they were willing to acknowledge its obligation.[38]

In a kingdom broken into so many independent baronies, hardly any common principle of union remained; and the general assembly, in its deliberations, could scarcely consider the nation as forming one body, or establish common regulations to be of equal force in every part. Within the immediate domains of the crown the king might publish laws, and they were obeyed, because there he was acknowledged as the only lord. But if he had aimed at rendering these laws general, that would have alarmed the barons as an encroachment upon the independence of their jurisdiction. The barons, when met in the great national convention, avoided with no less care the enacting of general laws to be observed in every part of the kingdom, because the execution of them must have been vested in the king, and would have enlarged that paramount power which was the object of their jealousy. Thus, under the descendants of Hugh Capet the states-general (for that was the name by which the supreme assembly of the French nation came then to be distinguished) lost their legislative authority, or at least entirely relinquished the exercise of it. From that period the jurisdiction of the states-general extended no farther than to the imposition of new taxes, the determination of questions with respect to the right of succession to the crown, the settling of the regency when the preceding monarch had not fixed it by his will, and the presenting remonstrances enumerating the grievances of which the nation wished to obtain redress.

As during several centuries the monarchs of Europe seldom demanded extraordinary subsidies of their subjects, and the other events which required the interposition of the states rarely occurred, their meetings in France were not frequent. They were summoned occasionally by their kings, when compelled by their wants or by their fears to have recourse to the great convention of their people; but they did not, like the diet in Germany, the cortes in Spain, or the parliament in England, form an essential member of the constitution, the regular exertion of whose powers was requisite to give vigour and order to government.

When the states of France ceased to exercise legislative authority, the

[38] Note XXXVIII.

kings began to assume it. They ventured at first on acts of legislation with great reserve, and after taking every precaution that could prevent their subjects from being alarmed at the exercise of a new power. They did not at once issue their ordinances in a tone of authority and command. They treated with their subjects; they pointed out what was best, and allured them to comply with it. By degrees, however, as the prerogative of the crown extended, and as the supreme jurisdiction of the royal courts came to be established, the kings of France assumed more openly the style and authority of lawgivers; and before the beginning of the fifteenth century the complete legislative power was vested in the crown.[39]

Having secured this important acquisition, the steps which led to the right of imposing taxes were rendered few and easy. The people, accustomed to see their sovereigns issue ordinances, by their sole authority, which regulated points of the greatest consequence with respect to the property of their subjects, were not alarmed when they were required by the royal edicts to contribute certain sums towards supplying the exigencies of government and carrying forward the measures of the nation. When Charles VII. and Louis XI. first ventured to exercise this new power, in the manner in which I have already described, the gradual increase of the royal authority had so imperceptibly prepared the minds of the people of France for this innovation that it excited no commotion in the kingdom, and seems scarcely to have given rise to any murmur or complaint.

When the kings of France had thus engrossed every power which can be exerted in government,—when the right of making laws, of levying money, of keeping an army of mercenaries in constant pay, of declaring war, and of concluding peace, centred in the crown,—the constitution of the kingdom, which under the first race of kings was nearly democratical, which under the second race became an aristocracy, terminated under the third race in a pure monarchy. Everything that tended to preserve the appearance or revive the memory of the ancient mixed government seems from that period to have been industriously avoided. During the long and active reign of Francis I., the variety as well as extent of whose operations obliged him to lay many heavy impositions on his subjects, the states-general of France were not once assembled, nor were the people once allowed to exert the power of taxing themselves, which, according to the original ideas of feudal government, was a right essential to every freeman.

Two things, however, remained which moderated the exercise of the regal prerogative and restrained it within such bounds as preserved the constitution of France from degenerating into mere despotism. The rights and privileges claimed by the nobility must be considered as one barrier against the absolute dominion of the crown. Though the nobles of France had lost that political power which was vested in their order as a body, they still retained the personal rights and pre-eminence which they derived from their rank. They preserved a consciousness of elevation above other classes of citizens; an exemption from burdens to which persons of inferior condition were subject; a contempt of the occupations in which they were engaged; the privilege of assuming ensigns that indicated their own dignity; a right to be treated with a certain degree of deference during peace; and a claim to various distinctions when in the field. Many of these pretensions were not founded on the words of statutes, or derived from positive laws: they were defined and ascertained by the maxims of honour, a title more delicate, but no less sacred. These rights, established and protected by a principle equally vigilant in guarding

[39] Note XXXIX.

and intrepid in defending them, are to the sovereign himself objects of respect and veneration. Wherever they stand in its way, the royal prerogative is bounded. The violence of a despot may exterminate such an order of men; but as long as it subsists, and its ideas of personal distinction remain entire, the power of the prince has limits.[40]

As in France the body of nobility was very numerous, and the individuals of which it was composed retained a high sense of their own pre-eminence, to this we may ascribe in a great measure the mode of exercising the royal prerogative which peculiarly distinguishes the government of that kingdom. An intermediate order was placed between the monarch and his other subjects, and in every act of authority it became necessary to attend to its privileges, and not only to guard against any real violation of them, but to avoid any suspicion of supposing it to be possible that they might be violated. Thus a species of government was established in France unknown in the ancient world, that of a monarchy in which the power of the sovereign, though unconfined by any legal or constitutional restraint, has certain bounds set to it by the ideas which one class of his subjects entertain concerning their own dignity.

The jurisdiction of the parliaments in France, particularly that of Paris, was the other barrier which served to confine the exercise of the royal prerogative within certain limits. The parliament of Paris was originally the court of the kings of France, to which they committed the supreme administration of justice within their own domains, as well as the power of deciding with respect to all cases brought before it by appeals from the courts of the barons. When, in consequence of events and regulations which have been mentioned formerly, the time and place of its meeting were fixed,—when not only the form of its procedure, but the principles on which it decided, were rendered regular and consistent,—when every cause of importance was finally determined there, and when the people became accustomed to resort thither as to the supreme temple of justice,—the parliament of Paris rose to high estimation in the kingdom, its members acquired dignity, and its decrees were submitted to with deference. Nor was this the only source of the power and influence which the parliament obtained. The kings of France, when they first began to assume the legislative power, in order to reconcile the minds of their people to this new exertion of prerogative, produced their edicts and ordinances in the parliament of Paris, that they might be approved of and registered there before they were published and declared to be of authority in the kingdom. During the intervals between the meetings of the states-general of the kingdom, or during those reigns in which the states-general were not assembled, the monarchs of France were accustomed to consult the parliament of Paris with respect to the most arduous affairs of government, and frequently regulated their conduct by its advice, in declaring war, in concluding peace, and in other transactions of public concern. Thus there was erected in the kingdom a tribunal which became the great depository of the laws, and, by the uniform tenor of its decrees, established principles of justice and forms of proceeding which were considered as so sacred that even the sovereign power of the monarch durst not venture to disregard or to violate them. The members of this illustrious body, though they neither possess legislative authority nor can be considered as the representatives of the people, have availed themselves of the reputation and influence which they had acquired among their countrymen, in order to make a stand, to the utmost of their

[40] De l'Esprit des Loix, liv. ii. c. 4.—Dr. Fergusson's Essay on the History of Civil Society, part i. sect. 10.

ability, against every unprecedented and exorbitant exertion of the prerogative. In every period of the French history they have merited the praise of being the virtuous but feeble guardians of the rights and privileges of the nation.[41]

After taking this view of the political state of France, I proceed to consider that of the German empire, from which Charles V. derived his title of highest dignity. In explaining the constitution of this great and complex body at the beginning of the sixteenth century, I shall avoid entering into such a detail as would involve my readers in that inextricable labyrinth which is formed by the multiplicity of its tribunals, the number of its members, their interfering rights, and by the endless discussions or refinements of the public lawyers of Germany with respect to all these.

The empire of Charlemagne was a structure erected in so short a time that it could not be permanent. Under his immediate successor it began to totter, and soon after fell to pieces. The crown of Germany was separated from that of France, and the descendants of Charlemagne established two great monarchies so situated as to give rise to a perpetual rivalship and enmity between them. But the princes of the race of Charlemagne who were placed on the imperial throne were not altogether so degenerate as those of the same family who reigned in France. In the hands of the former the royal authority retained some vigour, and the nobles of Germany, though possessed of extensive privileges as well as ample territories, did not so early attain independence. The great offices of the crown continued to be at the disposal of the sovereign, and during a long period fiefs remained in their original state, without becoming hereditary and perpetual in the families of the persons to whom they had been granted.

At length the German branch of the family of Charlemagne became extinct, and his feeble descendants who reigned in France had sunk into such contempt that the Germans, without looking towards them, exercised the right inherent in a free people, and in the general assembly of the nation elected Conrad, count of Franconia, emperor. After him Henry of Saxony, and his descendants, the three Othos, were placed, in succession, on the imperial throne, by the suffrages of their countrymen. The extensive territories of the Saxon emperors, their eminent abilities and enterprising genius, not only added new vigour to the imperial dignity, but raised it to higher power and pre-eminence. Otho the Great marched at the head of a numerous army into Italy, and, after the example of Charlemagne, gave law to that country. Every power there recognized his authority. He created popes, and deposed them, by his sovereign mandate. He annexed the kingdom of Italy to the German empire. Elated with his success, he assumed the title of Cæsar Augustus.[42] A prince born in the heart of Germany pretended to be the successor of the emperors of ancient Rome, and claimed a right to the same power and prerogative. [952.]

But while the emperors, by means of these new titles and new dominions, gradually acquired additional authority and splendour, the nobility of Germany had gone on at the same time extending their privileges and jurisdiction. The situation of affairs was favourable to their attempts. The vigour which Charlemagne had given to government quickly relaxed. The incapacity of some of his successors was such as would have encouraged vassals less enterprising than the nobles of that age to have claimed new rights and to have assumed new powers. The civil wars in which other emperors were engaged obliged them to pay perpetual court to their subjects, on whose support they

[41] Note XL. [42] Annalista Saxo, etc., ap. Struv., Corp., vol. i. p. 246.

depended, and not only to connive at their usurpations, but to permit and even to authorize them. Fiefs gradually became hereditary. They were transmitted not only in the direct but also in the collateral line. The investiture of them was demanded not only by male but by female heirs. Every baron began to exercise sovereign jurisdiction within his own domains; and the dukes and counts of Germany took wide steps towards rendering their territories distinct and independent states.[43] The Saxon emperors observed their progress and were aware of its tendency. But, as they could not hope to humble vassals already grown too potent, unless they had turned their whole force as well as attention to that enterprise, and as they were extremely intent on their expeditions into Italy, which they could not undertake without the concurrence of their nobles, they were solicitous not to alarm them by any direct attack on their privileges and jurisdictions. They aimed, however, at undermining their power. With this view, they inconsiderately bestowed additional territories and accumulated new honours on the clergy, in hopes that this order might serve as a counterpoise to that of the nobility in any future struggle.[44]

The unhappy effects of this fatal error in policy were quickly felt. Under the emperors of the Franconian and Swabian lines, whom the Germans, by their voluntary election, placed on the imperial throne, a new face of things appeared, and a scene was exhibited in Germany which astonished all Christendom at that time, and in the present age appears almost incredible. The popes, hitherto dependent on the emperors and indebted for power as well as dignity to their beneficence and protection, began to claim a superior jurisdiction, and, in virtue of authority which they pretended to derive from heaven, tried, condemned, excommunicated, and deposed their former masters. Nor is this to be considered merely as a frantic sally of passion in a pontiff intoxicated with high ideas concerning the extent of priestly domination and the plenitude of papal authority. Gregory VII. was able as well as daring. His presumption and violence were accompanied with political discernment and sagacity. He had observed that the princes and nobles of Germany had acquired such considerable territories and such extensive jurisdiction as rendered them not only formidable to the emperors, but disposed them to favour any attempt to circumscribe their power. He foresaw that the ecclesiastics of Germany, raised almost to a level with its princes, were ready to support any person who would stand forth as the protector of their privileges and independence. With both of these Gregory negotiated, and had secured many devoted adherents among them before he ventured to enter the lists against the head of the empire.

He began his rupture with Henry IV. upon a pretext that was popular and plausible. He complained of the venality and corruption with which the emperor had granted the investiture of benefices to ecclesiastics. He contended that this right belonged to him as the head of the Church; he required Henry to confine himself within the bounds of his civil jurisdiction, and to abstain for the future from such sacrilegious encroachments on the spiritual dominion. All the censures of the Church were denounced against Henry because he refused to relinquish those powers which his predecessors had uniformly exercised. The most considerable of the German princes and ecclesiastics were excited to take arms against him. His mother, his wife, his sons, were wrought upon to disregard all the ties of blood as well as of duty, and to join the party of his enemies.[45] Such were the successful arts with which the

[43] Pfeffel, Abrégé, pp. 120, 152.—Lib. Feudor., tit. i.

[44] Pfeffel, Abrégé, p. 154.

[45] Annal. German., ap. Struv., vol. i. p. 325.

court of Rome inflamed the superstitious zeal and conducted the factious spirit of the Germans and Italians, that an emperor distinguished not only for many virtues, but possessed of considerable talents, was at length obliged to appear as a supplicant at the gate of the castle in which the pope resided, and to stand there three days, barefooted, in the depth of winter, imploring a pardon, which at length he obtained with difficulty.[45] [1077.]

This act of humiliation degraded the imperial dignity. Nor was the depression momentary only. The contest between Gregory and Henry gave rise to the two great factions of the Guelfs and Ghibellines,—the former of which, supporting the pretensions of the popes, and the latter, defending the rights of the emperor, kept Germany and Italy in perpetual agitation during three centuries. A regular system for humbling the emperors and circumscribing their power was formed, and adhered to uniformly throughout that period. The popes, the free states in Italy, the nobility and ecclesiastics of Germany, were all interested in its success; and, notwithstanding the return of some short intervals of vigour under the administration of a few able emperors, the imperial authority continued to decline. During the anarchy of the long interregnum subsequent to the death of William of Holland, it dwindled down almost to nothing. Rodulph of Hapsburg, the founder of the house of Austria, and who first opened the way to its future grandeur, was at length elected emperor, not that he might re-establish and extend the imperial authority, but because his territories and influence were so inconsiderable as to excite no jealousy in the German princes, who were willing to preserve the forms of a constitution the power and vigour of which they had destroyed. Several of his successors were placed on the imperial throne from the same motive, and almost every remaining prerogative was wrested out of the hands of feeble princes unable to exercise or to defend them.

During this period of turbulence and confusion the constitution of the Germanic body underwent a total change. The ancient names of courts and magistrates, together with the original forms and appearance of policy, were preserved; but such new privileges and jurisdiction were assumed, and so many various rights established, that the same species of government no longer subsisted. The princes, the great nobility, the dignified ecclesiastics, the free cities, had taken advantage of the interregnum which I have mentioned to establish or to extend their usurpations. They claimed and exercised the right of governing their respective territories with full sovereignty. They acknowledged no superior with respect to any point relative to the interior administration and police of their domains. They enacted laws, imposed taxes, coined money, declared war, concluded peace, and exerted every prerogative peculiar to independent states. The ideas of order and political union which had originally formed the various provinces of Germany into one body were almost entirely lost; and the society must have dissolved, if the forms of feudal subordination had not preserved such an appearance of connection or dependence among the various members of the community as preserved it from falling to pieces.

This bond of union, however, was extremely feeble; and hardly any principle remained in the German constitution of sufficient force to maintain public order or even to ascertain personal security. From the accession of Rodulph of Hapsburg to the reign of Maximilian, the immediate predecessor of Charles V., the empire felt every calamity which a state must endure when the authority of government is so much relaxed as to have lost its proper degree of vigour. The causes of dissension among that vast number of

[45] Note XLI.

members which composed the Germanic body were infinite and unavoidable. These gave rise to perpetual private wars, which were carried on with all the violence that usually accompanies resentment when unrestrained by superior authority. Rapine, outrage, exactions, became universal. Commerce was interrupted, industry suspended, and every part of Germany resembled a country which an enemy had plundered and left desolate.[47] The variety of expedients employed with a view to restore order and tranquillity prove that the grievances occasioned by this state of anarchy had grown intolerable. Arbiters were appointed to terminate the differences among the several states. The cities united in a league the object of which was to check the rapine and extortions of the nobility. The nobility formed confederacies on purpose to maintain tranquillity among their own order. Germany was divided into several circles, in each of which a provincial and partial jurisdiction was established, to supply the place of a public and common tribunal.[48]

But all these remedies were so ineffectual that they served only to demonstrate the violence of that anarchy which prevailed, and the insufficiency of the means employed to correct it. At length Maximilian re-established public order in the empire, by instituting the Imperial Chamber, a tribunal composed of judges named partly by the emperor, partly by the several states, and vested with authority to decide finally concerning all differences among the members of the Germanic body. A few years after, by giving a new form to the Aulic Council, which takes cognizance of all feudal causes and such as belong to the emperor's immediate jurisdiction, he restored some degree of vigour to the imperial authority. [1512.]

But, notwithstanding the salutary effects of these regulations and improvements, the political constitution of the German empire, at the commencement of the period of which I propose to write the history, was of a species so peculiar as not to resemble perfectly any form of government known either in the ancient or modern world. It was a complex body, formed by the association of several states, each of which possessed sovereign and independent jurisdiction within its own territories. Of all the members which composed this united body the emperor was the head. In his name all decrees and regulations with respect to points of common concern were issued, and to him the power of carrying them into execution was committed. But this appearance of monarchical power in the emperor was more than counterbalanced by the influence of the princes and states of the empire in every act of administration. No law extending to the whole body could pass, no resolution that affected the general interest could be taken, without the approbation of the diet of the empire. In this assembly every sovereign prince and state of the Germanic body had a right to be present, to deliberate, and to vote. The decrees, or *recesses*, of the diet were the laws of the empire, which the emperor was bound to ratify and enforce.

Under this aspect, the constitution of the empire appears a regular confederacy, similar to the Achæan league in ancient Greece, or to that of the United Provinces, and of the Swiss Cantons, in modern times. But, if viewed in another light, striking peculiarities in its political state present themselves. The Germanic body was not formed by the union of members altogether distinct and independent. All the princes and states joined in this association were originally subject to the emperors and acknowledged them as sovereigns. Besides this, they originally held their lands as imperial fiefs, and in conse-

[47] See above, pp. 22–23 and Note XXI.—Datt., de Pace Publica Imper., p. 25, no. 53, p. 28, no. 26, p. 35, no. 11.

[48] Datt., passim.—Struv., Corp. Hist., i. 510, etc.

quence of this tenure owed the emperor all those services which feudal vassals are bound to perform to their liege lord. But though this political subjection was entirely at an end, and the influence of the feudal relation much diminished, the ancient forms and institutions, introduced while the emperors governed Germany with authority not inferior to that which the other monarchs of Europe possessed, still remained. Thus an opposition was established between the genius of the government and the forms of administration in the German empire. The former considered the emperor only as the head of a confederacy, the members of which, by their voluntary choice, have raised him to that dignity; the latter seemed to imply that he is really invested with sovereign power. By this circumstance such principles of hostility and discord were interwoven into the frame of the Germanic body as affected each of its members, rendering their interior union incomplete and their external efforts feeble and irregular. The pernicious influence of this defect, inherent in the constitution of the empire, is so considerable that without attending to it we cannot fully comprehend many transactions in the reign of Charles V. or form just ideas concerning the genius of the German government.

The emperors of Germany at the beginning of the sixteenth century were distinguished by the most pompous titles, and by such ensigns of dignity as intimated their authority to be superior to that of all other monarchs. The greatest princes of the empire attended and served them, on some occasions, as the officers of their household. They exercised prerogatives which no other sovereign ever claimed. They retained pretensions to all the extensive powers which their predecessors had enjoyed in any former age. But, at the same time, instead of possessing that ample domain which had belonged to the ancient emperors of Germany and which stretched from Basil to Cologne, along both banks of the Rhine,[49] they were stripped of all territorial property, and had not a single city, a single castle, a single foot of land, that belonged to them as heads of the empire. As their domain was alienated, their stated revenues were reduced almost to nothing; and the extraordinary aids which on a few occasions they obtained were granted sparingly and paid with reluctance. The princes and states of the empire, though they seemed to recognize the imperial authority, were subjects only in name, each of them possessing a complete municipal jurisdiction within the precincts of his own territories.

From this ill-compacted frame of government effects that were unavoidable resulted. The emperors, dazzled with the splendour of their titles and the external signs of vast authority, were apt to imagine themselves to be the real sovereigns of Germany, and were led to aim continually at recovering the exercise of those powers which the forms of the constitution seemed to vest in them, and which their predecessors, Charlemagne and the Othos, had actually enjoyed. The princes and states, aware of the nature as well as the extent of these pretensions, were perpetually on their guard in order to watch all the motions of the imperial court and to circumscribe its power within limits still more narrow. The emperors, in support of their claims, appealed to ancient forms and institutions which the states held to be obsolete. The states founded their rights on recent practice and modern privileges, which the emperors considered as usurpations.

This jealousy of the imperial authority, together with the opposition between it and the rights of the states, increased considerably from the time that the emperors were elected, not by the collective body of German nobles, but by a few princes of chief dignity. During a long period all the members of the Germanic body had a right to assemble and to make choice of the person

[49] Pfeffel, Abrégé, etc., p. 241.

whom they appointed to be their head. But amidst the violence and anarchy which prevailed for several centuries in the empire, seven princes who possessed the most extensive territories, and who had obtained an hereditary title to the great offices of the state, acquired the exclusive privilege of nominating the emperor. This right was confirmed to them by the Golden Bull; the mode of exercising it was ascertained, and they were dignified with the appellation of *electors*. The nobility and free cities, being thus stripped of a privilege which they had once enjoyed, were less connected with a prince towards whose elevation they had not contributed by their suffrages, and came to be more apprehensive of his authority. The electors, by their extensive power and the distinguishing privileges which they possessed, became formidable to the emperors with whom they were placed almost on a level in several acts of jurisdiction. Thus the introduction of the electoral college into the empire, and the authority which it acquired, instead of diminishing, contributed to strengthen, the principles of hostility and discord in the Germanic constitution.

These were farther augmented by the various and repugnant forms of civil policy in the several states which composed the Germanic body. It is no easy matter to render the union of independent states perfect and entire, even when the genius and forms of their respective governments happen to be altogether similar. But in the German empire, which was a confederacy of princes, of ecclesiastics, and of free cities, it was impossible that they could incorporate thoroughly. The free cities were small republics, in which the maxims and spirit peculiar to that species of government prevailed. The princes and nobles, to whom supreme jurisdiction belonged, possessed a sort of monarchical power within their own territories, and the forms of their interior administration nearly resembled those of the great feudal kingdoms. The interests, the ideas, the objects of states so differently constituted cannot be the same. Nor could their common deliberations be carried on with the same spirit, while the love of liberty and attention to commerce were the reigning principles in the cities, while the desire of power and ardour for military glory were the governing passions of the princes and nobility.

The secular and ecclesiastical members of the empire were as little fitted for union as the free cities and the nobility. Considerable territories had been granted to several of the German bishoprics and abbeys, and some of the highest offices in the empire, having been annexed to them inalienably, were held by the ecclesiastics raised to these dignities. The younger sons of noblemen of the second order, who had devoted themselves to the Church, were commonly promoted to these stations of eminence and power; and it was no small mortification to the princes and great nobility to see persons raised from an inferior rank to the same level with themselves, or even exalted to superior dignity. The education of these churchmen, the genius of their profession, and their connection with the court of Rome, rendered their character as well as their interest different from those of the other members of the Germanic body with whom they were called to act in concert. Thus another source of jealousy and variance was opened which ought not to be overlooked when we are searching into the nature of the German constitution.

To all these causes of dissension may be added one more, arising from the unequal distribution of power and wealth among the states of the empire. The electors, and other nobles of the highest rank, not only possessed sovereign jurisdiction, but governed such extensive, populous, and rich countries as rendered them great princes. Many of the other members, though they enjoyed all the rights of sovereignty, ruled over such petty domains that their

real power bore no proportion to this high prerogative. A well-compacted and vigorous confederacy could not be formed of such dissimilar states. The weaker were jealous, timid, and unable either to assert or to defend their just privileges. The more powerful were apt to assume and to become oppressive. The electors and emperors, by turns, endeavoured to extend their own authority by encroaching on those feeble members of the Germanic body, who sometimes defended their rights with much spirit, but more frequently, being overawed or corrupted, they tamely surrendered their privileges, or meanly favoured the designs formed against them.[50]

After contemplating all these principles of disunion and opposition in the constitution of the German empire, it will be easy to account for the want of concord and uniformity conspicuous in its councils and proceedings. That slow, dilatory, distrustful, and irresolute spirit which characterizes all its deliberations will appear natural in a body the junction of whose members was so incomplete, the different parts of which were held together by such feeble ties and set at variance by such powerful motives. But the empire of Germany, nevertheless, comprehended countries of such great extent, and was inhabited by such a martial and hardy race of men, that when the abilities of an emperor, or zeal for any common cause, could rouse this unwieldy body to put forth its strength, it acted with almost irresistible force. In the following history we shall find that as the measures on which Charles V. was most intent were often thwarted or rendered abortive by the spirit of jealousy and division peculiar to the Germanic constitution, so it was by the influence which he acquired over the princes of the empire, and by engaging them to co-operate with him, that he was enabled to make some of the greatest efforts which distinguish his reign.

The Turkish history is so blended, during the reign of Charles V., with that of the great nations in Europe, and the Ottoman Porte interposed so often, and with such decisive influence, in the wars and negotiations of the Christian princes, that some previous account of the state of government in that great empire is no less necessary for the information of my readers than those views of the constitution of other kingdoms which I have already exhibited to them.

It has been the fate of the southern and more fertile parts of Asia, at different periods, to be conquered by that warlike and hardy race of men who inhabit the vast country known to the ancients by the name of Scythia and among the moderns by that of Tartary. One tribe of these people, called Turks or Turcomans, extended its conquests, under various leaders, and during several centuries, from the shore of the Caspian Sea to the Straits of the Dardanelles. Towards the middle of the fifteenth century these formidable conquerors took Constantinople by storm and established the seat of their government in that imperial city. Greece, Moldavia, Wallachia, and the other provinces of the ancient kingdoms of Thrace and Macedonia, together with part of Hungary, were subjected to their power.

But though the seat of the Turkish government was fixed in Europe, and the sultans obtained possession of such extensive dominions in that quarter of the globe, the genius of their policy continued to be purely Asiatic, and may be properly termed a despotism, in contradistinction to those monarchical and republican forms of government which we have been hitherto contemplating. The supreme power was vested in sultans of the Ottoman race, that blood being deemed so sacred that no other was thought worthy of the throne. From this elevation these sovereigns could look down and behold all their subjects reduced to the same level before them. The maxims of Turkish

[50] Note XLII.

policy do not authorize any of those institutions which in other countries limit the exercise or moderate the rigour of monarchical power : they admit neither of any great court with constitutional and permanent jurisdiction to interpose both in enacting laws and in superintending the execution of them, nor of a body of hereditary nobles whose sense of their own pre-eminence, whose consciousness of what is due to their rank and character, whose jealousy of their privileges, circumscribe the authority of the prince, and serve not only as a barrier against the excesses of his caprice, but stand as an intermediate order between him and the people. Under the Turkish government the political condition of every subject is equal. To be employed in the service of the sultan is the only circumstance that confers distinction. Even this distinction is rather official than personal, and so closely annexed to the station in which any individual serves that it is scarcely communicated to the persons of those who are placed in them. The highest dignity in the empire does not give any rank or pre-eminence to the family of him who enjoys it. As every man before he is raised to any station of authority must go through the preparatory discipline of a long and servile obedience,[51] the moment he is deprived of power he and his posterity return to the same condition with other subjects and sink back into obscurity. It is the distinguishing and odious characteristic of Eastern despotism that it annihilates all other ranks of men in order to exalt the monarch ; that it leaves nothing to the former, while it gives everything to the latter ; that it endeavours to fix in the minds of those who are subject to it the idea of no relation between men but that of a master and of a slave, the former destined to command and to punish, the latter formed to tremble and obey.[52]

But, as there are circumstances which frequently obstruct or defeat the salutary effects of the best-regulated governments, there are others which contribute to mitigate the evils of the most defective forms of policy. There can, indeed, be no constitutional restraints upon the will of a prince in a despotic government ; but there may be such as are accidental. Absolute as the Turkish sultans are, they feel themselves circumscribed both by religion, the principle on which their authority is founded,[53] and by the army, the instrument which they must employ in order to maintain it. Wherever religion interposes, the will of the sovereign must submit to its decrees. When the Koran hath prescribed any religious rite, hath enjoined any moral duty, or hath confirmed by its sanction any political maxim, the command of the sultan cannot overturn that which a higher authority hath established. The chief restriction, however, on the will of the sultans is imposed by the military power. An armed force must surround the throne of every despot, to maintain his authority and to execute his commands. As the Turks extended their empire over nations which they did not exterminate, but reduced to subjection, they found it necessary to render their military establishment numerous and formidable. Amruth, their third sultan, in order to form a body of troops devoted to his will, that might serve as the immediate guards of his person and dignity, commanded his officers to seize annually, as the imperial property, the fifth part of the youth taken in war. These, after being instructed in the Mahometan religion, inured to obedience by severe discipline, and trained to warlike exercises, were formed into a body distinguished by the name of *janizaries*, or new soldiers. Every sentiment which enthusiasm can inspire, every mark of distinction that the favour of the prince could confer, were employed in order to animate this body with martial ardour and with a con-

[51] State of the Turkish Empire, by Rycaut, p. 25. [52] Note XLIII.
[53] Rycaut, p. 8.

sciousness of its own pre-eminence.[54] The janizaries soon became the chief strength and pride of the Ottoman armies, and, by their number as well as reputation, were distinguished above all the troops whose duty it was to attend on the person of the sultan.[55] [1362.]

Thus, as the supreme power in every society is possessed by those who have arms in their hands, this formidable body of soldiers, destined to be the instruments of enlarging the sultan's authority, acquired at the same time the means of controlling it. The janizaries in Constantinople, like the prætorian bands in ancient Rome, quickly perceived all the advantages which they derived from being stationed in the capital, from their union under one standard, and from being masters of the person of the prince. The sultans became no less sensible of their influence and importance. The *capiculy*, or soldiery of the Porte, was the only power in the empire that a sultan or his vizier had reason to dread. To preserve the fidelity and attachment of the janizaries was the great art of government and the principal object of attention in the policy of the Ottoman court. Under a monarch whose abilities and vigour of mind fit him for command, they are obsequious instruments,—execute whatever he enjoins, and render his power irresistible. Under feeble princes, or such as are unfortunate, they become turbulent and mutinous,—assume the tone of masters, degrade and exalt sultans at pleasure, and teach those to tremble, on whose nod, at other times, life and death depend.

From Mahomet II., who took Constantinople, to Solyman the Magnificent, who began his reign a few months after Charles V. was placed on the imperial throne of Germany, a succession of illustrious princes ruled over the Turkish empire. By their great abilities they kept their subjects of every order, military as well as civil, submissive to government, and had the absolute command of whatever force their vast empire was able to exert. Solyman, in particular, who is known to the Christians chiefly as a conqueror, but is celebrated in the Turkish annals as the great lawgiver who established order and police in their empire, governed during his long reign with no less authority than wisdom. He divided his dominions into several districts; he appointed the number of soldiers which each should furnish; he appropriated a certain proportion of the land in every province for their maintenance; he regulated with a minute accuracy everything relative to their discipline, their arms, and the nature of their service. He put the finances of the empire into an orderly train of administration; and, though the taxes in the Turkish dominions, as well as in the other despotic monarchies of the East, are far from being considerable, he supplied that defect by an attentive and severe economy.

Nor was it only under such sultans as Solyman, whose talents were no less adapted to preserve internal order than to conduct the operations of war, that the Turkish empire engaged with advantage in its contests with the Christian states. The long succession of able princes which I have mentioned had given such vigour and firmness to the Ottoman government that it seems to have attained during the sixteenth century the highest degree of perfection of which its constitution was capable. Whereas the great monarchies in Christendom were still far from that state which could enable them to act with a full exertion of their force. Besides this, the Turkish troops in that age possessed every advantage which arises from superiority in military discipline. At the time when Solyman began his reign, the janizaries had been embodied near a century and a half, and during that long period the severity of their military discipline had in no degree relaxed. The other soldiers, drawn from the provinces of the empire, had been kept almost continually under arms, in the

[54] Prince Cantemir's History of the Othman Empire, p. 87 [55] Note XLIV.

various wars which the sultans had carried on, with hardly an inverval of peace. Against troops thus trained and accustomed to service the forces of the Christian powers took the field with great disadvantage. The most intelligent as well as impartial authors of the sixteenth century acknowledge and lament the superior attainments of the Turks in the military art.[56] The success which almost uniformly attended their arms, in all their wars, demonstrates the justness of this observation. The Christian armies did not acquire that superiority over the Turks which they now possess until the long establishment of standing forces had improved military discipline among the former, and until various causes and events, which it is not in my province to explain, had corrupted or abolished their ancient warlike institutions among the latter.

[56] Note XLV.

PROOFS AND ILLUSTRATIONS.

Note I.—Sect. I. p. 4.

The consternation of the Britons, when invaded by the Picts and Caledonians, after the Roman legions were called out of the island, may give some idea of the degree of debasement to which the human mind was reduced by long servitude under the Romans. In their supplicatory letter to Aetius, which they call the *Groans of Britain*, "We know not (say they) which way to turn us. The barbarians drive us to the sea, and the sea forces us back on the barbarians; between which we have only the choice of two deaths, either to be swallowed up by the waves, or to be slain by the sword." (Histor. Gildæ, ap. Gale, Hist. Britan. Script., p. 9.) One can hardly believe this dastardly race to be descendants of that gallant people who repulsed Cæsar and defended their liberty so long against the Roman arms.

Note II.—Sect. I. p. 4.

The barbarous nations were not only illiterate, but regarded literature with contempt. They found the inhabitants of all the provinces of the empire sunk in effeminacy and averse to war. Such a character was the object of scorn to a high-spirited and gallant race of men. "When we would brand an enemy," says Luitprandus, "with the most disgraceful and contumelious appellation, we call him a Roman; hoc solo, id est *Romani* nomine, quicquid ignobilitatis, quicquid timiditatis, quicquid avaritiæ, quicquid luxuriæ, quicquid mendacii, immo quicquid vitiorum est comprehendentes." (Luitprandi Legatio, apud Murat., Scriptor. Italic., vol. ii. pars i. p. 481.) This degeneracy of manners, illiterate barbarians imputed to their love of learning. Even after they settled in the countries which they had conquered, they would not permit their children to be instructed in any science. "For (said they) instruction in the sciences tends to corrupt, enervate, and depress the mind; and he who has been accustomed to tremble under the rod of a pedagogue will never look on a sword or a spear with an undaunted eye." (Procop., de Bello Gothor., lib. i. p. 4, ap. Script. Byz., edit. Venet., vol. i.) A considerable number of years elapsed before nations so rude and so unwilling to learn could produce historians capable of recording their transactions or of describing their manners and institutions. By that time the memory of their ancient condition was in a great measure lost, and few monuments remained to guide their first writers to any certain knowledge of it. If one expects to receive any satisfactory account of the manners and laws of the Goths, Lombards, or Franks during their residence in those countries where they were originally seated, from Jornandes, Paulus Warnefridus, or Gregory of Tours, the earliest and most authentic historians of these people, he will be miserably disappointed. Whatever imperfect knowledge has been conveyed to us of their ancient state we owe not to their own writers, but to the Greek and Roman historians.

Note III.—Sect. I. p. 5.

A circumstance related by Priscus, in his history of the embassy to Attila, king of the Huns, gives a striking view of the enthusiastic passion for war which prevailed among the barbarous nations. When the entertainment to which that fierce conqueror admitted the Roman ambassadors was ended, two Scythians advanced towards Attila and recited a poem in which they celebrated his victories and military virtues. All the Huns fixed their eyes with attention on the bards. Some seemed to be delighted with the verses; others, remembering their own battles and exploits, exulted with joy; while such as were become feeble through age burst out into tears, bewailing the decay of their vigour, and the state of inactivity in which they were now obliged to remain. Excerpta ex Historia Prisci Rhetoris, ap. Byz. Hist. Script., vol. i. p. 45.

Note IV.—Sect. I. p. 7.

A remarkable confirmation of both parts of this reasoning occurs in the history of England. The Saxons carried on the conquest of that country with the same destructive spirit which distinguished the other barbarous nations. The ancient inhabitants of Britain were either exterminated, or forced to take shelter among the mountains of Wales, or reduced to servitude. The Saxon government, laws, manners, and language were of consequence introduced into Britain, and were so perfectly established that all memory of the institutions previous to their conquest of the country was in a great measure lost. The very reverse of this happened in a subsequent revolution. A single victory placed William the Norman on the throne of England. The Saxon inhabitants, though oppressed, were not exterminated. William employed the utmost efforts of his power and policy to make his new subjects conform in everything to the Norman standard, but without success. The Saxons, though vanquished, were far more numerous than their conquerors; when the two races began to incorporate, the Saxon laws and manners gradually gained ground. The Norman institutions became unpopular and odious; many of them fell into disuse; and in the English constitution and language at this day many essential parts are manifestly of Saxon, not of Norman extraction.

Note V.—Sect. I. p. 8.

Procopius, the historian, declines, from a principle of benevolence, to give any particular detail of the cruelties of the Goths; "lest," says he, "I should transmit a monument and example of inhumanity to succeeding ages." (Proc., de Bello Goth., lib. iii. cap. 10, ap. Byz. Script., vol. i. p. 126.) But as the change which I have pointed out as a consequence of the settlement of the barbarous nations in the countries formerly subject to the Roman empire could not have taken place if the greater part of the ancient inhabitants had not been extirpated, an event of such importance and influence merits a more particular illustration. This will justify me for exhibiting some part of that melancholy spectacle over which humanity prompted Procopius to draw a veil. I shall not, however, disgust my readers by a minute narration, but rest satisfied with collecting some instances of the devastations made by two of the many nations which settled in the empire. The Vandals were the first of the barbarians who invaded Spain. It was one of the richest and most populous of the Roman provinces: the inhabitants had been distinguished for courage, and had defended their liberty against the arms of Rome with greater obstinacy and during a longer course of years than any nation in Europe. But so entirely were they enervated by their subjection to the Romans that the Vandals, who entered the kingdom A.D. 409, completed the conquest of it with such rapidity that in the year 411 these barbarians divided it among them by casting lots. The desolation occasioned by their invasion is thus described by Idatius, an eye-witness: "The barbarians wasted everything with hostile cruelty. The pestilence was no less destructive. A dreadful famine raged to such a degree that the living were constrained to feed on the dead bodies of their fellow-citizens; and all these terrible plagues desolated at once the unhappy kingdoms." (Idatii Chron., ap. Biblioth. Patrum, vol. vii. p. 1233, edit. Lugd., 1677.) The Goths having attacked the Vandals in their new settlements, a fierce war ensued; the country was plundered by both parties; the cities which had escaped from destruction in the first invasion of the Vandals were now laid in ashes, and the inhabitants exposed to suffer everything that the wanton cruelty of barbarians could inflict. Idatius describes these scenes of inhumanity, ibid., p. 1235, b. 1236, c. f. A similar account of their devastations is given by Isidorus Hispalensis and other contemporary writers. (Isid., Chron., ap. Grot., Hist. Goth., 732.) From Spain the Vandals passed over into Africa, A.D. 428. Africa was, next to Egypt, the most fertile of the Roman provinces. It was one of the granaries of the empire, and is called by an ancient writer the soul of the commonwealth. Though the army with which the Vandals invaded it did not exceed thirty thousand fighting-men, they became absolute masters of the province in less than two years. A contemporary author gives a dreadful account of the havoc which they made: "They found a province well cultivated, and enjoying plenty, the beauty of the whole earth. They carried their destructive arms into every corner of it; they dispeopled it by their devastations, exterminating everything with fire and sword. They did not even spare the vines and fruit-trees, that those to whom caves and inaccessible mountains had afforded a retreat might find no nourishment of any kind. Their hostile rage could not be satiated, and there was no place exempted from the effects of it. They tortured their prisoners with the most exquisite cruelty, that they might force from them a discovery of their hidden treasures. The more they discovered, the more they expected, and the more implacable they became. Neither the infirmities of age nor of sex, neither the dignity of nobility nor the sanctity of the sacerdotal office, could mitigate their fury; but the more illustrious their prisoners were, the more barbarously they insulted them. The public buildings which resisted the violence of the flames they levelled with the ground. They left many cities without an inhabitant. When they approached any fortified place which their undisciplined army could not reduce, they gathered together a multitude of prisoners, and, putting them to the sword, left their bodies unburied, that the stench of the carcasses might oblige the garrison to abandon it." (Victor Vitensis de Persecutione Africana, ap. Bibl.

Patrum, vol. viii. p. 666.) St. Augustin, an African, who survived the conquest of his country by the Vandals some years, gives a similar description of their cruelties. (Opera, vol. x. p. 372, edit. 1616.) About a hundred years after the settlement of the Vandals in Africa, Belisarius attacked and dispossessed them. Procopius, a contemporary historian, describes the devastation which that war occasioned. "Africa," says he, "was so entirely dispeopled that one might travel several days in it without meeting one man; and it is no exaggeration to say that in the course of the war five millions of persons perished." (Proc., Hist. Arcana, cap. 18, ap. Byz. Script., vol. i. p. 315.) I have dwelt longer upon the calamities of this province, because they are described not only by contemporary authors, but by eye-witnesses. The present state of Africa confirms their testimony. Many of the most flourishing and populous cities with which it was filled were so entirely ruined that no vestiges remain to point out where they were situated. That fertile territory, which sustained the Roman empire, still lies in a great measure uncultivated; and that province, which Victor, in his barbarous Latin, called *speciositas totius terræ florentis*, is now the retreat of pirates and banditti.

While the Vandals laid waste a great part of the empire, the Huns desolated the remainder. Of all the barbarous tribes they were the fiercest and most formidable. Ammianus Marcellinus, a contemporary author, and one of the best of the later historians, gives an account of their policy and manners, which nearly resemble those of the Scythians described by the ancients, and of the Tartars known to the moderns. Some parts of their character, and several of their customs, are not unlike those of the savages in North America. Their passion for war was extreme. "As in polished societies (says Ammianus) ease and tranquillity are courted, they delight in war and dangers. He who falls in battle is reckoned happy. They who die of old age or of disease are deemed infamous. They boast with the utmost exultation of the number of enemies whom they have slain, and, as the most glorious of all ornaments, they fasten the scalps of those who have fallen by their hands to the trappings of their horses." (Ammian. Marc., lib. xxxi. p. 477, edit. Gronov., Lugd., 1693.) Their incursions into the empire began in the fourth century; and the Romans, though no strangers, by that time, to the effects of barbarous rage, were astonished at the cruelty of their devastations. Thrace, Pannonia, and Illyricum were the countries which they first laid desolate. As they had at first no intention of settling in Europe, they made only inroads of short continuance into the empire; but these were frequent; and Procopius computes that in each of these, at a medium, two hundred thousand persons perished, or were carried off as slaves. (Procop., Hist. Arcan., ap. Byz. Script., vol. i. p. 316.) Thrace, the best-cultivated province in that quarter of the empire, was converted into a desert; and when Priscus accompanied the ambassadors sent to Attila there were no inhabitants in some of the cities, but a few miserable people who had taken shelter among the ruins of the churches; and the fields were covered with the bones of those who had fallen by the sword. (Priscus, ap. Byz. Script., vol. i. p. 34.) Attila became king of the Huns, A.D. 434. He is one of the greatest and most enterprising conquerors mentioned in history. He extended his empire over all the vast countries comprehended under the general names of Scythia and Germany in the ancient division of the world. While he was carrying on his wars against the barbarous nations, he kept the Roman empire under perpetual apprehensions, and extorted enormous subsidies from the timid and effeminate monarchs who governed it. In the year 451 he entered Gaul, at the head of an army composed of all the various nations which he had subdued. It was more numerous than any with which the barbarians had hitherto invaded the empire. The devastations which he committed were horrible. Not only the open country, but the most flourishing cities, were desolated. The extent and cruelty of his devastations are described by Salvianus de Gubernat. Dei, edit. Baluz., Par., 1669, p. 139, etc., and by Idatius, ubi supra, p. 1235. Aetius put a stop to his progress in that country by the famous battle of Châlons, in which (if we may believe the historians of that age) three hundred thousand persons perished. (Idat., ibid.; Jornandes de Rebus Geticis, ap. Grot., Hist. Gothor., p. 671, Amst., 1665.) But the next year he resolved to attack the centre of the empire, and, marching into Italy, wasted it with rage inflamed by the sense of his late disgrace. What Italy suffered by the Huns exceeded all the calamities which the preceding incursions of the barbarians had brought upon it. Conringius has collected several passages from the ancient historians which prove that the devastations committed by the Vandals and Huns in the countries situated on the banks of the Rhine were no less cruel and fatal to the human race. (Exercitatio de Urbibus Germaniæ, Opera, vol. i. p. 488.) It is endless, it is shocking, to follow these destroyers of mankind through so many scenes of horror, and to contemplate the havoc which they made of the human species.

But the state in which Italy appears to have been during several ages after the barbarous nations settled in it is the most decisive proof of the cruelty as well as extent of their devastations. Whenever any country is thinly inhabited, trees and shrubs spring up in the uncultivated fields, and, spreading by degrees, form large forests; by the overflowing of rivers and the stagnating of waters, other parts of it are converted into lakes and marshes. Ancient Italy, which the Romans rendered the seat of elegance and luxury, was cultivated to the highest pitch. But so effectually did the devastations of the barbarians destroy all the effects of Roman industry and cultivation that in the eighth century a considerable part of Italy appears to have been covered with forests and marshes of great extent. Muratori enters into a minute

detail concerning the situation and limits of several of these, and proves by the most authentic evidence that great tracts of territory in all the different provinces of Italy were either overrun with wood or laid under water. Nor did these occupy parts of the country naturally barren or of little value, but were spread over districts which ancient writers represent as extremely fertile and which at present are highly cultivated. (Muratori, Antiquitates Italicæ Medii Ævi, dissert. xxi., vol. ii. pp. 149, 153, etc.) A strong proof of this occurs in a description of the city of Modena, by an author of the tenth century. (Murat., Script. Rerum Italic., vol. iii. pars. ii. p. 691.) The state of desolation in other countries of Europe seems to have been the same. In many of the most early charters now extant, the lands granted to monasteries or to private persons are distinguished into such as are cultivated or inhabited, and such as were *eremi*, desolate. In many instances lands are granted to persons because they had taken them from the desert, *ab eremo*, and had cultivated and planted them with inhabitants. This appears from a charter of Charlemagne, published by Eckhart, de Rebus Franciæ Orientalis, vol. ii. p. 864, and from many charters of his successors quoted by Du Cange, voc. *Erenus*. Wherever a right of property in land can be thus acquired, it is evident that the country must be extremely desolate and thinly peopled. The first settlers in America obtained possession of land by such a title. Whoever was able to clear and cultivate a field was recognized as the proprietor. His industry merited such a recompense. The grants in the charters which I have mentioned flow from a similar principle, and there must have been some resemblance in the state of the countries.

Muratori adds that during the eighth and ninth centuries Italy was greatly infested by wolves and other wild beasts; another mark of its being destitute of inhabitants. (Murat., Antiq., vol. ii. p. 163.) Thus Italy, the pride of the ancient world for its fertility and cultivation, was reduced to the state of a country newly peopled and lately rendered habitable.

I am sensible not only that some of these descriptions of the devastations, which I have quoted, may be exaggerated, but that the barbarous tribes, in making their settlements, did not proceed invariably in the same manner. Some of them seemed to be bent on exterminating the ancient inhabitants; others were more disposed to incorporate with them. It is not my province either to inquire into the causes which occasioned this variety in the conduct of the conquerors, or to describe the state of those countries where the ancient inhabitants were treated most mildly. The facts which I have produced are sufficient to justify the account which I have given in the text, and to prove that the destruction of the human species, occasioned by the hostile invasions of the Northern nations and their subsequent settlements, was much greater than many authors seem to imagine.

Note VI.—Sect. I. p. 8.

I have observed, Note II., that our only certain information concerning the ancient state of the barbarous nations must be derived from the Greek and Roman writers. Happily an account of the institutions and customs of one people, to which those of all the rest seem to have been in a great measure similar, has been transmitted to us by two authors, the most capable, perhaps, that ever wrote, of observing them with profound discernment and of describing them with propriety and force. The reader must perceive that Cæsar and Tacitus are the authors whom I have in view. The former gives a short account of the ancient Germans in a few chapters of the sixth book of his Commentaries; the latter wrote a treatise expressly on that subject. These are the most precious and instructive monuments of antiquity to the present inhabitants of Europe. From them we learn,—

1. That the state of society among the ancient Germans was of the rudest and most simple form. They subsisted entirely by hunting or by pasturage. (Cæs., lib. vi. c. 21.) They neglected agriculture, and lived chiefly on milk, cheese, and flesh. (Ibid., c. 22.) Tacitus agrees with him in most of these points. (De Morib. Germ., c. 14, 15, 23.) The Goths were equally negligent of agriculture. (Prisc. Rhet., ap. Byz. Script., v. i. p. 31, B.) Society was in the same state among the Huns, who disdained to cultivate the earth or to touch a plough. (Amm. Marcel., lib. xxxi. p. 475.) The same manners took place among the Alans. (Ibid., p. 477.) While society remains in this simple state, men by uniting together scarcely relinquish any portion of their natural independence. Accordingly, we are informed, 2. That the authority of civil government was extremely limited among the Germans. During times of peace they had no common or fixed magistrate, but the chief men of every district dispensed justice and accommodated differences. (Cæs., ibid., c. 23.) Their kings had not absolute or unbounded power; their authority consisted rather in the privilege of advising than in the power of commanding. Matters of small consequence were determined by the chief men; affairs of importance, by the whole community. (Tacit., c. 7, 11.) The Huns, in like manner, deliberated in common concerning every business of moment to the society, and were not subject to the rigour of regal authority. (Amm. Marcel., lib. xxxi. p. 474.) 3. Every individual among the ancient Germans was left at liberty to choose whether he would take part in any military enterprise which was proposed; there seems to have been no obligation to engage in it imposed on him by public authority. "When any of the chief men proposes an expedition, such as approve of the cause and of the leader rise up and declare their intention of following him; after coming under

this engagement, those who do not fulfil it are considered as deserters and traitors, and are looked upon as infamous." (Cæs., ibid., c. 23.) Tacitus plainly points at the same custom, though in terms more obscure. (Tacit., c. 11.) 4. As every individual was so independent, and master in so great a degree of his own actions, it became, of consequence, the great object of every person among the Germans, who aimed at being a leader, to gain adherents and attach them to his person and interest. These adherents Cæsar calls *ambacti* and *clientes*, *i.e.*, retainers or clients; Tacitus, *comites*, or companions. The chief distinction and power of the leaders consisted in being attended by a numerous band of chosen youth. This was their pride as well as ornament during peace, and their defence in war. The leaders gained or preserved the favour of these retainers by presents of armour and of horses, and by the profuse though inelegant hospitality with which they entertained them. (Tacit., c. 14, 15.) 5. Another consequence of the personal liberty and independence which the Germans retained, even after they united in society, was their circumscribing the criminal jurisdiction of the magistrate within very narrow limits, and their not only claiming, but exercising, almost all the rights of private resentment and revenge. Their magistrates had not the power either of imprisoning or of inflicting any corporal punishment on a free man. (Tacit., c. 7.) Every person was obliged to avenge the wrongs which his parents or friends had sustained. Their enmities were hereditary, but not irreconcilable. Even murder was compensated by paying a certain number of cattle. (Tacit., c. 21.) A part of the fine went to the king, or state, a part to the person who had been injured, or to his kindred. (Ibid., c. 12.)

Those particulars concerning the institutions and manners of the Germans, though well known to every person conversant in ancient literature, I have thought proper to arrange in this order, and to lay before such of my readers as may be less acquainted with these facts, both because they confirm the account which I have given of the state of the barbarous nations, and because they tend to illustrate all the observations I shall have occasion to make concerning the various changes in their government and customs. The laws and customs introduced by the barbarous nations into their new settlements are the best commentary on the writings of Cæsar and Tacitus; and their observations are the best key to a perfect knowledge of these laws and customs.

One circumstance with respect to the testimonies of Cæsar and Tacitus concerning the Germans merits attention. Cæsar wrote his brief account of their manners more than a hundred years before Tacitus composed his Treatise de Moribus Germanorum. A hundred years make a considerable period in the progress of national manners, especially if during that time those people who are rude and unpolished have had much communication with more civilized states. This was the case with the Germans. Their intercourse with the Romans began when Cæsar crossed the Rhine, and increased greatly during the interval between that event and the time when Tacitus flourished. We may accordingly observe that the manners of the Germans in his time, which Cæsar describes, were less improved than those of the same people as delineated by Tacitus. Besides this, it is remarkable that there was a considerable difference in the state of society among the different tribes of Germans. The Suiones were so much improved that they began to be corrupted. (Tacit., c. 44.) The Fenni were so barbarous that it is wonderful how they were able to subsist. (Ibid., c. 46.) Whoever undertakes to describe the manners of the Germans, or to found any political theory upon the state of society among them, ought carefully to attend to both these circumstances.

Before I quit this subject, it may not be improper to observe that, though successive alterations in their institutions, together with the gradual progress of refinement, have made an entire change in the manners of the various people who conquered the Roman empire, there is still one race of men nearly in the same political situation with theirs when they first settled in their new conquests; I mean the various tribes and nations of savages in North America. It cannot, then, be considered either as a digression, or as an improper indulgence of curiosity, to inquire whether this similarity in their political state has occasioned any resemblance between their character and manners. If the likeness turns out to be striking, it is a stronger proof that a just account has been given of the ancient inhabitants of Europe than the testimony even of Cæsar or of Tacitus.

1. The Americans subsist chiefly by hunting and fishing. Some tribes neglect agriculture entirely. Among those who cultivate some small spot near their huts, that, together with all works of labour, is performed by the women. (P. Charlevoix, Journal historique d'un Voyage de l'Amérique, 4to, Par., 1744, p. 334.) In such a state of society, the common wants of men being few and their mutual dependence upon each other small, their union is extremely imperfect and feeble, and they continue to enjoy their natural liberty almost unimpaired. It is the first idea of an American that every man is born free and independent, and that no power on earth hath any right to diminish or circumscribe his natural liberty. There is hardly any appearance of subordination, either in civil or domestic government. Every one does what he pleases. A father and mother live with their children like persons whom chance has brought together and whom no common bond unites. Their manner of educating their children is suitable to this principle. They never chastise or punish them, even during their infancy. As they advance in years, they continue to be entirely masters of their own actions, and seem not to be conscious of being responsible for any part of their conduct. (Ibid., pp. 272, 273.)

2. The power of their civil magistrates is extremely limited. Among most of their tribes, the sachem, or chief, is elective. A council of old men is chosen to assist him, without whose advice he determines no affair of importance. The sachems neither possess nor claim any great degree of authority. They propose and entreat, rather than command. The obedience of their people is altogether voluntary. (Ibid., pp. 266, 268.) 3. The savages of America engage in their military enterprises, not from constraint, but choice. When war is resolved, a chief arises and offers himself to be the leader. Such as are willing (for they compel no person) stand up one after another and sing their war-song. But if, after this, any of these should refuse to follow the leader to whom they have engaged, his life would be in danger, and he would be considered as the most infamous of men. (Ibid., pp. 217, 218.) 4. Such as engage to follow any leader expect to be treated by him with great attention and respect; and he is obliged to make them presents of considerable value. (Ibid., p. 218.) 5. Among the Americans, the magistrate has scarcely any criminal jurisdiction. (Ibid., p. 272.) Upon receiving any injury, the person or family offended may inflict what punishment they please on the person who was the author of it. (Ibid., p. 274.) Their resentment and desire of vengeance are excessive and implacable. Time can neither extinguish nor abate it. It is the chief inheritance parents leave to their children; it is transmitted from generation to generation, until an occasion be found of satisfying it. (Ibid., p. 309.) Sometimes, however, the offended party is appeased. A compensation is paid for a murder that has been committed. The relations of the deceased receive it; and it consists most commonly of a captive taken in war, who, being substituted in place of the person who was murdered, assumes his name and is adopted into his family. (Ibid., p. 274.) The resemblance holds in many other particulars. It is sufficient for my purpose to have pointed out the similarity of those great features which distinguish and characterize both people. Bochart, and other philologists of the last century, who, with more erudition than science, endeavoured to trace the migrations of various nations, and who were apt upon the slightest appearance of resemblance to find an affinity between nations far removed from each other, and to conclude that they were descended from the same ancestors, would hardly have failed, on viewing such an amazing similarity, to pronounce with confidence "that the Germans and Americans must be the same people." But a philosopher will satisfy himself with observing "that the characters of nations depend on the state of society in which they live, and on the political institutions established among them; and that the human mind, whenever it is placed in the same situation, will, in ages the most distant and in countries the most remote, assume the same form and be distinguished by the same manners."

I have pushed the comparison between the Germans and Americans no further than was necessary for the illustration of my subject. I do not pretend that the state of society in the two countries was perfectly similar in every respect. Many of the German tribes were more civilized than the Americans. Some of them were not unacquainted with agriculture; almost all of them had flocks of tame cattle, and depended upon them for the chief part of their subsistence. Most of the American tribes subsist by hunting, and are in a ruder and more simple state than the ancient Germans. The resemblance, however, between their condition is greater, perhaps, than any that history affords an opportunity of observing between any two races of uncivilized people; and this has produced a surprising similarity of manners.

Note VII.—Sect. I. p. 8.

The booty gained by an army belonged to the army. The king himself had no part of it but what he acquired by lot. A remarkable instance of this occurs in the history of the Franks. The army of Clovis, the founder of the French monarchy, having plundered a church, carried off, among other sacred utensils, a vase of extraordinary size and beauty. The bishop sent deputies to Clovis, beseeching him to restore the vase, that it might be again employed in the sacred services to which it had been consecrated. Clovis desired the deputies to follow him to Soissons, as the booty was to be divided in that place, and promised that if the lot should give him the disposal of the vase he would grant what the bishop desired. When he came to Soissons, and all the booty was placed in one great heap in the middle of the army, Clovis entreated that before making the division they would give him that vase over and above his share. All appeared willing to gratify the king and to comply with his request, when a fierce and haughty soldier lifted up his battle-axe, and, striking the vase with the utmost violence, cried out, with a loud voice, "You shall receive nothing here but that to which the lot gives you a right." Gregor. Turon., Histor. Francorum, lib. ii. c. 27, p. 70, Par., 1610.

Note VIII.—Sect. I. p. 9.

The history of the establishment and progress of the feudal system is an interesting object to all the nations of Europe. In some countries their jurisprudence and laws are still in a great measure feudal. In others, many forms and practices established by custom, or founded on statutes, took their rise from the feudal law, and cannot be understood without attending to the ideas peculiar to it. Several authors of the highest reputation for genius and erudition have

endeavoured to illustrate this subject, but still many parts of it are obscure. I shall endeavour to trace with precision the progress and variation of ideas concerning property in land among the barbarous nations, and shall attempt to point out the causes which introduced these changes as well as the effects which followed upon them. Property in land seems to have gone through four successive changes among the people who settled in the various provinces of the Roman empire.

I. While the barbarous nations remained in their original countries, their property in land was only temporary, and they had no certain limits to their possessions. After feeding their flocks in one district, they removed with them, and with their wives and families, to another, and abandoned that likewise in a short time. They were not, in consequence of this imperfect species of property, brought under any positive or formal obligation to serve the community; all their services were purely voluntary. Every individual was at liberty to choose how far he would contribute towards carrying on any military enterprise. If he followed a leader in any expedition, it was from attachment, not from a sense of obligation. The clearest proof of this has been produced in Note VI. While property continued in this state, we can discover nothing that bears any resemblance to a feudal tenure, or to the subordination and military service which the feudal system introduced.

II. Upon settling in the countries which they had subdued, the victorious troops divided the conquered lands. Whatever portion of them fell to a soldier, he seized as the recompense due to his valour, as a settlement acquired by his own sword. He took possession of it as a freeman in full property. He enjoyed it during his own life, and could dispose of it at pleasure, or transmit it as an inheritance to his children. Thus property in land became fixed. It was at the same time *allodial*; *i.e.*, the possessor had the entire right of property and dominion; he held of no sovereign or superior lord to whom he was bound to do homage and perform service. But as these new proprietors were in some danger (as has been observed in the text) of being disturbed by the remainder of the ancient inhabitants, and in still greater danger of being attacked by successive colonies of barbarians as fierce and rapacious as themselves, they saw the necessity of coming under obligations to defend the community more explicit than those to which they had been subject in their original habitations. On this account, immediately upon their fixing in their new settlements, every freeman became bound to take arms in defence of the community, and, if he refused or neglected so to do, was liable to a considerable penalty. I do not mean that any contract of this kind was formally concluded or mutually ratified by any legal solemnity. It was established by tacit consent, like the other compacts which hold society together. The mutual security and preservation made it the interest of all to recognize its authority and to enforce the observation of it. We can trace back this new obligation on the proprietors of land to a very early period in the history of the Franks. Chilperic, who began his reign A.D. 562, exacted a fine, *bannos jussit exigi*, from certain persons who had refused to accompany him in an expedition. (Gregor. Turon., lib. v. c. 26, p. 211.) Childebert, who began his reign A.D. 576, proceeded in the same manner against others who had been guilty of a like crime. (Ibid., lib. vii. c. 42, p. 342.) Such a fine could not have been exacted while property continued in its first state and military service was entirely voluntary. Charlemagne ordained that every freeman who possessed five mansi, *i.e.*, sixty acres, of land *in property*, should march in person against the enemy. (Capitul., A.D. 807.) Louis le Débonnaire, A.D. 815, granted lands to certain Spaniards who fled from the Saracens, and allowed them to settle in his territories, on condition that they should serve in the army *like other freemen*. (Capitul., vol. i. p. 500.) By land possessed *in property*, which is mentioned in the law of Charlemagne, we are to understand, according to the style of that age, allodial land; *alodes* and *proprietas*, *alodum* and *proprium*, being words perfectly synonymous. (Du Cange, voce *Alodis*.) The clearest proof of the distinction between allodial and beneficiary possession is contained in two charters published by Muratori, by which it appears that a person might possess one part of his estate as allodial, which he could dispose of at pleasure, the other as a *beneficium*, of which he had only the usufruct, the property returning to the superior lord on his demise. (Antiq. Ital. Medii Ævi, vol. i. pp. 559, 565.) The same distinction is pointed out in a capitulare of Charlemagne, A.D. 812, edit. Baluz., vol. i. p. 491. Count Everard, who married a daughter of Louis le Débonnaire, in the curious testament by which he disposes of his vast estate among his children, distinguishes between what he possessed *proprietate* and what he held *beneficio*: and it appears that the greater part was allodial, A.D. 837. Aub. Miræi Opera Diplomatica, Lovan., 1723, vol. i. p. 19.

In the same manner *liber homo* is commonly opposed to *vassus* or *vassallus*: the former denotes an allodial proprietor, the latter one who held of a superior. These *free* men were under an obligation to serve the state; and this duty was considered as so sacred that freemen were prohibited from entering into holy orders unless they had obtained the consent of the sovereign. The reason given for this in the statute is remarkable: "For we are informed that some do so not so much out of devotion as in order to avoid that military service which they are bound to perform." (Capitul., lib. i. § 114.) If upon being summoned into the field any freeman refused to obey, a full *herebannum*, *i.e.*, a fine of sixty crowns, was to be exacted from him according to the law of the Franks. (Capit. Car. Magn., ap. Leg. Longob., lib. i. tit. 14, § 13, p. 539.) This expression, according to the law of the Franks, seems to imply that both the

obligation to serve, and the penalty on those who disregarded it, were coeval with the laws made by the Franks at their first settlement in Gaul. This fine was levied with such rigour "that if any person convicted of this crime was insolvent he was reduced to servitude, and continued in that state until such time as his labour should amount to the value of the *herebannum*." (Ibid.) The emperor Lotharius rendered the penalty still more severe; and if any person possessing such an extent of property as made it incumbent on him to take the field in person refused to obey the summons, all his goods were declared to be forfeited, and he himself might be punished with banishment. Murat., Script. Ital., vol. i. pars ii. p. 153.

III. Property in land having thus become fixed, and subject to military service, another change was introduced, though slowly and step by step. We learn from Tacitus that the chief men among the Germans endeavoured to attach to their persons and interests certain adherents whom he calls *comites*. These fought under their standard and followed them in all their enterprises. The same custom continued among them in their new settlements, and those attached or devoted followers were called *fideles, antrustiones, homines in truste dominica, leudes*. Tacitus informs us that the rank of a comes was deemed honourable. (De Morib. Germ., c. 13.) The composition, which is the standard by which we must judge of the rank and condition of persons in the Middle Ages, paid for the murder of one *in truste dominica*, was triple to that paid for the murder of a freeman. (Leg. Salicor., tit. 44, §§ 1 et 2.) While the Germans remained in their own country, they courted the favour of these comites by presents of arms and horses, and by hospitality. (See Note VI.) As long as they had no fixed property in land, these were the only gifts that they could bestow, and the only reward which their followers desired. But upon their settling in the countries which they conquered, and when the value of property came to be understood among them, instead of those slight presents, the kings and chieftains bestowed a more substantial recompense in land on their adherents. These grants were called *beneficia*, because they were gratuitous donations; and *honores*, because they were regarded as marks of distinction. What were the services originally exacted in return for these *beneficia* cannot be determined with absolute precision; because there are no records so ancient. When allodial possessions were first rendered feudal, they were not at once subjected to all the feudal services. The transition here, as in all other changes of importance, was gradual. As the great object of a feudal vassal was to obtain protection, when allodial proprietors first consented to become vassals of any powerful leader they continued to retain as much of their ancient independence as was consistent with that new relation. The homage which they did to their superior, of whom they chose to hold, was called *homagium planum*, and bound them to nothing more than fidelity, but without any obligation either of military service or attendance in the courts of their superior. Of this *homagium planum* some traces, though obscure, may still be discovered. (Brussel, tom. i. p. 97.) Among the ancient writs published by D. D. de Vic and Vaisette, Hist de Langued., are a great many which they call *homagia*. They seem to be an intermediate step between the *homagium planum* mentioned by Brussel, and the engagement to perform complete feudal service. The one party promises protection and grants certain castles or lands; the other engages to defend the person of the grantor, and to assist him likewise in defending his property as often as he shall be summoned to do so. But these engagements are accompanied with none of the feudal formalities, and no mention is made of any of the other feudal services. They appear rather to be a mutual contract between equals than the engagement of a vassal to perform services to a superior lord. (Preuves de l'Hist. de Lang., tom. ii. p. 173, et passim.) As soon as men were accustomed to these, the other feudal services were gradually introduced. M. de Montesquieu considers these *beneficia* as fiefs, which originally subjected those who held them to military service. (L'Esprit des Loix, l. xxx. c. 3 et 16.) M. l'Abbé de Mably contends that such as held these were at first subjected to no other service than what was incumbent on every freeman. (Observations sur l'Histoire de France, i. 356.) But upon comparing their proofs and reasonings and conjectures it seems to be evident that as every freeman, in consequence of his allodial property, was bound to serve the community under a severe penalty, no good reason can be assigned for conferring these *beneficia* if they did not subject such as received them to some new obligation. Why should a king have stripped himself of his domain, if he had not expected that by parcelling it out he might acquire a right to services to which he had formerly no title? We may then warrantably conclude, "That as allodial property subjected those who possessed it to serve the community, so *beneficia* subjected such as held them to personal service and fidelity to him from whom they received these lands." These *beneficia* were granted originally only during pleasure. No circumstance relating to the customs of the Middle Ages is better ascertained than this; innumerable proofs of it might be added to those produced in L'Esprit des Loix, l. xxx. c. 16, and by Du Cange, vocc. *Beneficium et Feudum*.

IV. But the possession of benefices did not continue long in this state. A precarious tenure during pleasure was not sufficient to satisfy such as held lands, and by various means they gradually obtained a confirmation of their benefices during life. (Feudor., lib. i. tit. i.) Du Cange produces several quotations from ancient charters and chronicles in proof of this. (Gloss., voc. *Beneficium*.) After this it was easy to obtain or extort charters rendering *beneficia* hereditary, first in the direct line, then in the collateral, and at last in the female line. Leg. Longob., lib. iii. tit. 8; Du Cange, voc. *Beneficium*.

It is no easy matter to fix the precise time when each of these changes took place. M. l'Abbé Mably conjectures, with some probability, that Charles Martel first introduced the practice of granting *beneficia* for life. (Observat., tom. i. pp. 103, 160.) And that Louis le Débonnaire was among the first who rendered them hereditary, is evident from the authorities to which he refers. (Ibid., 429.) Mabillon, however, has published a placitum of Louis le Débonnaire, A.D. 860, by which it appears that he still continued to grant some *beneficia* only during life. (De Re Diplomatica, lib. vi. p. 353.) In the year 889, Odo, king of France, granted lands to "Ricabodo, fideli suo, jure beneficiario et fructuario," during his own life; and if he should die, and a son were born to him, that right was to continue during the life of his son. (Mabillon, ut supra, p. 555.) This was an intermediate step between fiefs merely during life and fiefs hereditary to perpetuity. While *beneficia* continued under their first form, and were held only during pleasure, he who granted them not only exercised the *dominium*, or prerogative of superior lord, but he retained the property, giving his vassal only the *usufruct*. But under the latter form, when they became hereditary, although feudal lawyers continued to define a *beneficium* agreeably to its original nature, the property was in effect taken out of the hands of the superior lords and lodged in those of the vassal. As soon as the reciprocal advantages of the feudal mode of tenure came to be understood by superiors as well as vassals, that species of holding became so agreeable to both that not only lands, but casual rents, such as the profits of a toll, the fare paid at ferries, etc., the salaries or perquisites of offices, and even pensions themselves, were granted and held as fiefs; and military service was promised and exacted on account of these. (Morice, Mém. pour servir de Preuves à l'Hist. de Bretagne, tom. ii. pp. 78, 690; Brussel, tom. i. p. 41.) How absurd soever it may seem to grant or to hold such precarious and casual property as a fief, there are instances of feudal tenures still more singular. The profits arising from the masses said at an altar were properly an ecclesiastical revenue, belonging to the clergy of the church or monastery which performed that duty; but these were sometimes seized by the powerful barons. In order to ascertain their right to them, they held them as fiefs of the Church, and parcelled them out in the same manner as other property to their sub-vassals. (Bouquet, Recueil des Hist., vol. x. pp. 238, 480.) The same spirit of encroachment which rendered fiefs hereditary led the nobles to extort from their sovereigns hereditary grants of offices. Many of the great offices of the crown became hereditary in most of the kingdoms in Europe; and so conscious were monarchs of this spirit of usurpation among the nobility, and so solicitous to guard against it, that on some occasions they obliged the persons whom they promoted to any office of dignity to grant an obligation that neither they nor their heirs should claim it as belonging to them by hereditary right. A remarkable instance of this is produced, Mém. de l'Acad. des Inscrip., tom. xxx. p. 595. Another occurs in the Thesaur. Anecdot., published by Martene et Durand, vol. i. p. 873. This revolution in property occasioned a change corresponding to it in political government; the great vassals of the crown, as they acquired such extensive possessions, usurped a proportional degree of power, depressed the jurisdiction of the crown, and trampled on the privileges of the people. It is on account of this connection that it becomes an object of importance in history to trace the progress of feudal property; for upon discovering in what state property was at any particular period we may determine with precision what was the degree of power possessed by the king or by the nobility at this juncture.

One circumstance more, with respect to the changes which property underwent, deserves attention. I have shown that when the various tribes of barbarians divided their conquests in the fifth and sixth centuries the property which they acquired was allodial; but in several parts of Europe property had become almost entirely feudal by the beginning of the tenth century. The former species of property seems to be so much better and more desirable than the latter that such a change appears surprising, especially when we are informed that allodial property was frequently converted into feudal by a voluntary deed of the possessor. The motives which determined them to a choice so repugnant to the ideas of modern times concerning property have been investigated and explained by M. de Montesquieu, with his usual discernment and accuracy, lib. xxxi. c. 8. The most considerable is that of which we have a hint in Lambertus Ardensis, an ancient writer quoted by Du Cange, voce *Alodis*. In those times of anarchy and disorder which became general in Europe after the death of Charlemagne, when there was scarcely any union among the different members of the community, and individuals were exposed, single and undefended by government, to rapine and oppression, it became necessary for every man to have a powerful protector, under whose banner he might range himself and obtain security against enemies whom singly he could not oppose. For this reason he relinquished his allodial independence, and subjected himself to the feudal services, that he might find safety under the patronage of some respectable superior. In some parts of Europe this change from allodial to feudal property became so general that he who possessed land had no longer any liberty of choice left: he was obliged to recognize some liege-lord and to hold of him. Thus, Beaumanoir informs us that in the counties of Clermont and Beauvois, if the lord or count discovered any land within his jurisdiction for which no service was performed and which paid to him no taxes or customs, he might instantly seize it as his own; for, says he, according to our custom, no man can hold allodial property. (Coust., chap. 24, p. 123.) Upon the same principle is founded a maxim which has at length become general in the law of France, *Nulle*

terre sans seigneur. In other provinces of France allodial property seems to have remained longer unalienated and to have been more highly valued. A great number of charters, containing grants or sales or exchanges of allodial lands in the province of Languedoc, are published in Hist. génér. de Langued., par D. D. de Vic et Vaisette, tom. ii. During the ninth, tenth, and great part of the eleventh century the property in that province seems to have been entirely allodial; and scarcely any mention of feudal tenures occurs in the deeds of that country. The state of property during these centuries seems to have been perfectly similar in Catalonia and the country of Roussillon, as appears from the original charters published in the Appendix to Petr. de la Marca's treatise de Marca sive Limite Hispanico. Allodial property seems to have continued in the Low Countries to a period still later. During the eleventh, twelfth, and thirteenth centuries this species of property appears to have been of considerable extent. (Miræi Opera Dip om., vol. i. pp. 34, 74, 75. 83, 817, 296, 842, 847, 578.) Some vestiges of allodial property appear there as late as the fourteenth century. (Ibid., p. 218.) Several facts which prove that allodial property subsisted in different parts of Europe long after the introduction of feudal tenures, and which tend to illustrate the distinction between these two different species of possession, are produced by M. Houard, Anciennes Loix des François, conservées dans les Coutumes Angloises, vol. i. p. 192, etc. The notions of men with respect to property vary according to the diversity of their understandings and the caprice of their passions. At the same time that some persons were fond of relinquishing allodial property in order to hold it by feudal tenure, others seem to have been solicitous to convert their fiefs into allodial property. An instance of this occurs in a charter of Louis le Débonnaire, published by Eckhard, Commentarii de Rebus Franciæ Orientalis, vol. ii. p. 885. Another occurs in the year 1299 (Reliquiæ MSS. omnis Ævi, by Ludwig, vol. i. p. 209); and even one as late as the year 1337 (ibid., vol. vii. p. 40). The same thing took place in the Low Countries. Miræi Oper., i. 52.

In tracing these various revolutions of property I have hitherto chiefly confined myself to what happened in France, because the ancient monuments of that nation have either been more carefully preserved, or have been more clearly illustrated, than those of any people in Europe.

In Italy the same revolutions happened in property and succeded each other in the same order. There is some ground, however, for conjecturing that allodial property continued longer in estimation among the Italians than among the French. It appears that many of the charters granted by the emperors in the ninth century conveyed an allodial right to land. (Murat., Antiq. Med. Ævi, vol. i. p. 575, etc.) But in the eleventh century we find some examples of persons who resigned their allodial property and received it back as a feudal tenure. (Ibid., p. 616, etc.) Muratori observes that the word *feudum*, which came to be substituted in place of *beneficium*, does not occur in any authentic charter previous to the eleventh century. (Ibid., p. 594.) A charter of King Robert of France, A.D. 1008, is the earliest deed in which I have met with the word *feudum*. (Bouquet, Recueil des Historiens des Gaules et de la France, tom. x. p. 593, b.) This word occurs, indeed, in an edict, A.D. 790, published by Brussel, vol. i. p. 77. But the authenticity of that deed has been called in question, and perhaps the frequent use of the word *feudum* in it is an additional reason for doing so. The account which I have given of the nature both of allodial and feudal possessions receives some confirmation from the etymology of the words themselves. *Alode* or *allodium* is compounded of the German particle *an* and *lot*, *i. e.*, land obtained by lot. (Wachteri Glossar. Germanicum, voc. *Allodium*, p. 35.) It appears from the authorities produced by him, and by Du Cange, voc. *Sors*, that the Northern nations divided the lands which they had conquered in this manner. *Feodum*. is compounded of *od*, possession or estate, and *feo*, wages, pay; intimating that it was stipendiary and granted as a recompense for service. Wachterus, ibid., voc. *Feodum*, p. 441.

The progress of the feudal system among the Germans was perfectly similar to that which we have traced in France. But as the emperors of Germany, especially after the imperial crown passed from the descendants of Charlemagne to the house of Saxony, were far superior to the contemporary monarchs of France in abilities, the imperial vassals did not aspire so early to independence, nor did they so soon obtain the privilege of possessing their benefices by hereditary right. According to the compilers of the Libri Feudorum, Conrad II., or the Salic, was the first emperor who rendered fiefs hereditary. (Lib. i. tit. i.) Conrad began his reign A.D. 1024. Ludovicus Pius, under whose reign grants of hereditary fiefs were frequent in France, succeeded his father A.D. 814. Not only was this innovation so much later in being introduced among the vassals of the German emperors, but even after Conrad had established it the law continued favourable to the ancient practice; and unless the charter of the vassal bore expressly that the fief descended to his heirs, it was presumed to be granted only during life. (Lib. Feud., ibid.) Even after the alteration made by Conrad, it was not uncommon in Germany to grant fiefs only for life. A charter of this kind occurs as late as the year 1376. (Charta, ap. Boehmer., Princip. Jur. Feud., p. 361.) The transmission of fiefs to collateral and female heirs took place very slowly among the Germans. There is extant a charter, A.D. 1201, conveying the right of succession to females; but it is granted as an extraordinary mark of favour and in reward of uncommon services. (Boehmer., ibid., p. 365.) In Germany, as well as in France and Italy, a considerable part of the lands continued to be allodial long after the

feudal mode of tenure was introduced. It appears from the Codex Diplomaticus Monasterii Buch that a great part of the lands in the marquisate of Misnia was still allodial as late as the thirteenth century. (No. 31, 36, 37, 46, etc., ap. Scriptores Hist. German., cura Schoetgenii et Kreysigii, Altenb., 1755, vol. ii. p. 183, etc.) Allodial property seems to have been common in another district of the same province during the same period. Reliquiæ Diplomaticæ Sanctimonial., Beutiz., No. 17, 36, 58, ibid., 374, etc.

Note IX. —Sect. I. p. 10.

As I shall have occasion, in another note, to represent the condition of that part of the people who dwelt in cities, I will confine myself in this to consider the state of the inhabitants of the country. The persons employed in cultivating the ground during the ages under review may be divided into three classes :—1. *Servi*, or slaves. This seems to have been the most numerous class, and consisted either of captives taken in war, or of persons the property in whom was acquired in some one of the various methods enumerated by Du Cange, voc. *Servus*, vol. vi. p. 447. The wretched condition of this numerous race of men will appear from several circumstances. 1. Their masters had absolute dominion over their persons. They had the power of punishing their slaves capitally, without the intervention of any judge. This dangerous right they possessed not only in the more early periods when their manners were fierce, but it continued as late as the twelfth century. (Joach. Potgiesserus de Statu Servorum, Lemgov., 1736, 4to, lib. ii. cap. 1, §§ 4, 10, 13, 24.) Even after this jurisdiction of masters came to be restrained, the life of a slave was deemed to be of so little value that a very slight compensation atoned for taking it away. (Idem, lib. iii. c. 6.) If masters had power over the lives of their slaves, it is evident that almost no bounds would be set to the rigour of the punishments which they might inflict upon them. The codes of ancient laws prescribed punishments for the crimes of slaves different from those which were inflicted on freemen. The latter paid only a fine or compensation; the former were subjected to corporal punishments. The cruelty of these was, in many instances, excessive. Slaves might be put to the rack on very slight occasions. The laws with respect to these points are to be found in Potgiesserus, lib. iii. c. 7, § 2, and are shocking to humanity. 2. If the dominion of masters over the lives and persons of their slaves was thus extensive, it was no less so over their actions and property. They were not originally permitted to marry. Male and female slaves were allowed, and even encouraged, to cohabit together. But this union was not considered as a marriage: it was called *contubernium*, not *nuptiæ* or *matrimonium*. (Potgiess., lib. ii. c. 2, § 1.) This notion was so much established that, during several centuries after the barbarous nations embraced the Christian religion, slaves who lived as husband and wife were not joined together by any religious ceremony, and did not receive the nuptial benediction from a priest. (Ibid., §§ 10, 11.) When this conjunction between slaves came to be considered as a lawful marriage, they were not permitted to marry without the consent of their master, and such as ventured to do so without obtaining that were punished with great severity, and sometimes were put to death. (Potgiess., ibid., § 12, etc.; Gregor. Turon., Hist., lib. v. c. 3.) When the manners of the European nations became more gentle, and their ideas more liberal, slaves who married without their master's consent were subjected only to a fine. (Potgiess., ibid., § 20; Du Cange, Gloss., voc. *Forismaritagium*.) 3. All the children of slaves were in the same condition with their parents, and became the property of the master. (Du Cange, Gloss., voc. *Servus*, vol. vi. p. 450; Murat., Antiq. Ital., vol. i. p. 766.) 4. Slaves were so entirely the property of their masters that they could sell them at pleasure. While domestic slavery continued, property in a slave was sold in the same manner with that which a person had in any other movable. Afterwards slaves became *adscripti glebæ*, and were conveyed by sale together with the farm or estate to which they belonged. Potgiesserus has collected the laws and charters which illustrate this well-known circumstance in the condition of slaves. (Lib. ii. c. 4.) 5. Slaves had a title to nothing but subsistence and clothes from their master; all the profits of their labour accrued to him. If a master, from indulgence, gave his slaves any *peculium*, or fixed allowance for their subsistence, they had no right of property in what they saved out of that. All that they accumulated belonged to their master. (Potgiess., lib. ii. c. 10; Murat., Antiq. Ital., vol. i. p. 768; Du Cange, voc. *Servus*, vol. vi. p. 451.) Conformably to the same principle, all the effects of slaves belonged to their masters at their death, and they could not dispose of them by testament. (Potgiess., lib. ii. c. 11.) 6. Slaves were distinguished from freemen by a peculiar dress. Among all the barbarous nations, long hair was a mark of dignity and of freedom; slaves were, for that reason, obliged to shave their heads; and by this distinction, how indifferent soever it may be in its own nature, they were reminded every moment of the inferiority of their condition. (Potgiess., lib. iii. c. 4.) For the same reason, it was enacted in the laws of almost all the nations of Europe that no slave should be admitted to give evidence against a freeman in a court of justice. Du Cange, voc. *Servus*, vol. vi. p. 451; Potgiess., lib. iii. c. 3.

II. *Villani*. They were likewise *adscripti glebæ* or *villæ*, from which they derived their name, and were transferable along with it. (Du Cange, voc. *Villanus*.) But in this they differed from slaves, that they paid a fixed rent to their master for the land which they cultivated, and, after paying that, all the fruits of their labour and industry belonged to themselves

in property. This distinction is marked by Pierre de Fontain's Conseil. Vie de St. Louis par Joinville, p. 119, édit. de Du Cange. Several cases decided agreeably to this principle are mentioned by Murat., ibid., p. 773.

III. The last class of persons employed in agriculture were freemen. These are distinguished by various names among the writers of the Middle Ages, *arimanni, conditionales, originarii, ritbutales,* etc. These seem to have been persons who possessed some small allodial property of their own, and, besides that, cultivated some farm belonging to their more wealthy neighbours, for which they paid a fixed rent, and bound themselves likewise to perform several small services *in prato vel in messe, in aratura vel in vinea,* such as ploughing a certain quantity of their landlord's ground, assisting him in harvest and vintage work, etc. The clearest proof of this may be found in Muratori, vol. i. p. 712, and in Du Cange, under the respective words above mentioned. I have not been able to discover whether these *arimanni,* etc., were removable at pleasure, or held their farms by lease for a certain number of years. The former, if we may judge from the genius and maxims of the age, seems to be the most probable. These persons, however, were considered as freemen in the most honourable sense of the word: they enjoyed all the privileges of that condition, and were even called to serve in war; an honour to which no slave was admitted. (Murat., Antiq., vol. i. p. 743, vol. ii. p. 446.) This account of the condition of these three different classes of persons will enable the reader to apprehend the full force of an argument which I shall produce in confirmation of what I have said in the text concerning the wretched state of the people during the Middle Ages. Notwithstanding the immense difference between the first of these classes and the third, such was the spirit of tyranny which prevailed among the great proprietors of lands, and so various their opportunities of oppressing those who were settled on their estates, and of rendering their condition intolerable, that many freemen, in despair, renounced their liberty and voluntarily surrendered themselves as slaves to their powerful masters. This they did in order that their masters might become more immediately interested to afford them protection, together with the means of subsisting themselves and their families. The forms of such a surrender, or *obnoxiatio,* as it was then called, are preserved by Marculfus, lib. ii. c. 28, and by the anonymous author published by M. Bignon together with the collection of *formulæ* compiled by Marculfus, c. 16. In both, the reason given for the *obnoxiatio* is the wretched and indigent condition of the person who gives up his liberty. It was still more common for freemen to surrender their liberty to bishops or abbots, that they might partake of the security which the vassals and slaves of churches and monasteries enjoyed, in consequence of the superstitious veneration paid to the saint under whose immediate protection they were supposed to be taken. (Du Cange, voc. *Oblatus,* vol. iv. p. 1286.) That condition must have been miserable indeed which could induce a freeman voluntarily to renounce his liberty and to give up himself as a slave to the disposal of another. The number of slaves in every nation of Europe was immense. The greater part of the inferior class of people in France were reduced to this state at the commencement of the third race of kings. (L'Esprit des Loix, liv. xxx. c. 11.) The same was the case in England. (Brady, Pref. to Gen. Hist.) Many curious facts with respect to the ancient state of *villains* or slaves in England are published in Observations on the Statutes, chiefly the more ancient, 3rd edit., p. 269, etc.

Note X.—Sect. I. p. 11.

Innumerable proofs of this might be produced. Many charters, granted by persons of the highest rank, are preserved, from which it appears that they could not subscribe their name. It was usual for persons who could not write to make the sign of the cross in confirmation of a charter. Several of these remain where kings and persons of great eminence affix *signum crucis manu propria pro ignoratione literarum.* (Du Cange, voc. *Crux,* vol. iii. p. 1191.) From this is derived the phrase of signing instead of subscribing a paper. In the ninth century, Herbaud, Comes Palatii, though supreme judge of the empire by virtue of his office, could not subscribe his name. (Nouveau Traité de Diplomatique, par deux Bénédictins, 4to, tom. ii. p. 422.) As late as the fourteenth century, Du Guesclin, constable of France, the greatest man in the state, and one of the greatest men of his age, could neither read nor write. (Ste. Palaye, Mémoires sur l'ancienne Chevalerie, tit. ii. p. 82.) Nor was this ignorance confined to laymen: the greater part of the clergy was not many degrees superior to them in science. Many dignified ecclesiastics could not subscribe the canons of those councils in which they sat as members. (Nouv. Traité de Diplom., tom. ii. p. 424.) One of the questions appointed by the canons to be put to persons who were candidates for orders was this: "Whether they could read the gospels and epistles, and explain the sense of them, at least literally?" (Regino Prumiensis, ap. Bruck., Hist. Philos., v. iii. p. 631.) Alfred the Great complained that from the Humber to the Thames there was not a priest who understood the liturgy in his mother-tongue or who could translate the easiest piece of Latin, and that from the Thames to the sea the ecclesiastics were still more ignorant. (Asserus de Rebus gestis Alfredi, ap. Camdeni Anglica, etc., p. 25.) The ignorance of the clergy is quaintly described by an author of the Dark Ages: "Potius dediti gulæ quam glossæ; potius colligunt libras quam legunt libros; libentiùs intuentur Martham quam Marcum; malunt legere in Salmone quam in Solomone." (Alanus de Art. Predicat., ap. Lebeuf, Dissert., tom. ii. p. 21.) To the obvious causes of such universal ignorance, arising from the state of govern-

ment and manners, from the seventh to the eleventh century, we may add the scarcity of books during that period, and the difficulty of rendering them more common. The Romans wrote their books either on parchment or on paper made of the Egyptian papyrus. The latter, being the cheapest, was of course the most commonly used. But after the Saracens conquered Egypt, in the seventh century, the communication between that country and the people settled in Italy or in other parts of Europe was almost entirely broken off, and the papyrus was no longer in use among them. They were obliged, on that account, to write all their books upon parchment, and, as the price of that was high, books became extremely rare and of great value. We may judge of the scarcity of the materials for writing them from one circumstance. There still remain several manuscripts of the eighth, ninth, and following centuries, written on parchment from which some former writing had been erased in order to substitute a new composition in its place. In this manner it is probable that several works of the ancients perished. A book of Livy or of Tacitus might be erased to make room for the legendary tale of a saint or the superstitious prayers of a missal. (Murat., Antiq. Ital., vol. iii. p. 833.) P. de Montfaucon affirms that the greater part of the manuscripts on parchment which he has seen, those of an ancient date excepted, are written on parchment from which some former treatise had been erased. (Mém. de l'Acad. des Inscript., tom. ix. p. 325.) As the want of materials for writing is one reason why so many of the works of the ancients have perished, it accounts likewise for the small number of manuscripts of any kind previous to the eleventh century, when they began to multiply, from a cause which shall be mentioned. (Hist. littér. de France, tom. vi. p. 6.) Many circumstances prove the scarcity of books during these ages. Private persons seldom possessed any books whatever. Even monasteries of considerable note had only one missal. (Murat., Antiq., vol. ix. p. 789.) Lupus, abbot of Ferrières, in a letter to the pope, A.D. 855, beseeches him to lend him a copy of Cicero de Oratore and Quintilian's Institutions; "for," says he, "although we have parts of those books, there is no complete copy of them in all France." (Murat., Antiq., vol. iii. p. 835.) The price of books became so high that persons of a moderate fortune could not afford to purchase them. The countess of Anjou paid for a copy of the Homilies of Haimon, bishop of Halberstadt, two hundred sheep, five quarters of wheat, and the same quantity of rye and millet. (Histoire littéraire de France, par des Religieux Bénédictins, tom. vii. p. 3.) Even so late as the year 1471, when Louis XI. borrowed the works of Rasis, the Arabian physician, from the faculty of medicine in Paris, he not only deposited in pledge a considerable quantity of plate, but was obliged to procure a nobleman to join with him as surety in a deed, binding himself, under a great forfeiture, to restore it. (Gabr. Naudé, Addit. à l'Histoire de Louys XI par Comines, édit. de Fresnoy, tom. iv. p. 281.) Many curious circumstances with respect to the extravagant price of books in the Middle Ages are collected by that industrious compiler, to whom I refer such of my readers as deem this small branch of literary history an object of curiosity. When any person made a present of a book to a church or monastery, in which were the only libraries during several ages, it was deemed a donative of such value that he offered it on the altar *pro remedio animæ suæ*, in order to obtain the forgiveness of his sins. (Murat., vol iii. p. 836; Hist. littér de France, tom. vi. p. 6; Nouv. Trait. de Diplomat., par deux Bénédictins, 4to, tom. i. p. 481.) In the eleventh century the art of making paper, in the manner now become universal, was invented; by means of that, not only the number of manuscripts increased, but the study of the sciences was wonderfully facilitated. (Murat., ib., p. 871.) The invention of the art of making paper, and the invention of the art of printing, are two considerable events in literary history. It is remarkable that the former preceded the first dawning of letters and improvement in knowledge towards the close of the eleventh century; the latter ushered in the light which spread over Europe at the era of the Reformation.

Note XI.—Sect. I. p. 11.

All the religious maxims and practices of the Dark Ages are a proof of this. I shall produce one remarkable testimony in confirmation of it, from an author canonized by the Church of Rome, St. Eloy, or Egidius, bishop of Noyon, in the seventh century. "He is a good Christian who comes frequently to church; who presents the oblation which is offered to God upon the altar; who doth not taste the fruits of his own industry until he has consecrated a part of them to God; who, when the holy festivals approach, lives chastely even with his own wife during several days, that with a safe conscience he may draw near the altar of God; and who, in the last place, can repeat the Creed and the Lord's Prayer. Redeem then your souls from destruction while you have the means in your power: offer presents and tithes to churchmen; come more frequently to church; humbly implore the patronage of the saints; for, if you observe these things, you may come with security in the day of retribution to the tribunal of the Eternal Judge, and say, 'Give to us, O Lord, for we have given unto thee.'" (Dacherii Spicilegium Vet. Script., vol. ii. p. 94.) The learned and judicious translator of Dr. Mosheim's Ecclesiastical History, to one of whose additional notes I am indebted for my knowledge of this passage, subjoins a very proper reflection: "We see here a large and ample description of a good Christian, in which there is not the least mention of the love of God, resignation to his will, obedience to his laws, or of justice, benevolence, and charity towards men." Mosh., Eccles. Hist., vol. i. p. 324.

Note XII.—Sect. I. p. 11.

That infallibility in all its determinations, to which the Church of Rome pretends, has been attended with one unhappy consequence. As it is impossible to relinquish any opinion or to alter any practice which has been established by authority that cannot err, all its institutions and ceremonies must be immutable and everlasting, and the Church must continue to observe in enlightened times those rites which were introduced during the ages of darkness and credulity. What delighted and edified the latter must disgust and shock the former. Many of the rites observed in the Romish Church appear manifestly to have been introduced by a superstition of the lowest and most illiberal species. Many of them were borrowed, with little variation, from the religious ceremonies established among the ancient heathens. Some were so ridiculous that, if every age did not furnish instances of the fascinating influence of superstition, as well as of the whimsical forms which it assumes, it must appear incredible that they should have been ever received or tolerated. In several churches of France they celebrated a festival in commemoration of the Virgin Mary's Flight into Egypt. It was called the Feast of the Ass. A young girl, richly dressed, with a child in her arms, was set upon an ass superbly caparisoned. The ass was led to the altar in solemn procession. High mass was said with great pomp. The ass was taught to kneel at proper places; a hymn no less childish than impious was sung in his praise; and, when the ceremony was ended, the priest, instead of the usual words with which he dismissed the people, brayed three times like an ass, and the people, instead of the usual response, "We bless the Lord," brayed three times in the same manner. (Du Cange, voc. *Festum*, vol. iii p. 424.) This ridiculous ceremony was not, like the festival of fools, and some other pageants of those ages, a mere farcical entertainment exhibited in a church, and mingled, as was then the custom, with an imitation of some religious rites: it was an act of devotion, performed by the ministers of religion and by the authority of the Church. However, as the practice did not prevail universally in the Catholic Church, its absurdity contributed at last to abolish it.

Note XIII.—Sect. I. p. 14.

As there is no event in the history of mankind more singular than that of the crusades, every circumstance that tends to explain or to give any rational account of this extraordinary frenzy of the human mind is interesting, I have asserted in the text that the minds of men were prepared gradually for the amazing effort which they made in consequence of the exhortations of Peter the Hermit, by several occurrences previous to his time. A more particular detail of this curious and obscure part of history may perhaps appear to some of my readers to be of importance. That the end of the world was expected about the close of the tenth and beginning of the eleventh century, and that this occasioned a general alarm, is evident from the authors to whom I have referred in the text. This belief was so universal and so strong that it mingled itself with civil transactions. Many charters in the latter part of the tenth century begin in this manner: "Appropinquante mundi termino," etc. As the end of the world is now at hand, and by various calamities and judgments the signs of its approach are now manifest. (Hist. de Langued., par D. D. de Vic et Vaisette, tom. ii.; Preuves, pp. 86, 89, 90, 117, 158, etc.) One effect of this opinion was that a great number of pilgrims resorted to Jerusalem, with a resolution to die there, or to wait the coming of the Lord; kings, earls, marquises, bishops, and even a great number of women, besides persons of an inferior rank, flocked to the Holy Land. (Glaber. Rodulph., Hist., apud Bouquet, Recueil, tom. x. pp. 50, 52.) Another historian mentions a vast cavalcade of pilgrims who accompanied the count of Angoulême to Jerusalem in the year 1026. (Chronic. Ademari, ibid., p. 162.) Upon their return, these pilgrims filled Europe with lamentable accounts of the state of Christians in the Holy Land. (Willerm. Tyr., Hist. ap. Gest. Dei per Franc., vol. i. p. 636; Guibert. Abbat., Hist., ibid., vol. i. p. 476.) Besides this, it was usual for many of the Christian inhabitants of Jerusalem, as well as of other cities in the East, to travel as mendicants through Europe, and, by describing the wretched condition of the professors of the Christian faith under the dominion of infidels, to extort charity, and to excite zealous persons to make some attempt in order to deliver them from oppression. (Baldrici Archiepiscopi Histor., ap. Gesta Dei, etc., vol. i. p. 86.) In the year 986, Gerbert, archbishop of Ravenna, afterwards Pope Silvester II, addressed a letter to all Christians in the name of the church of Jerusalem. It is eloquent and pathetic, and contains a formal exhortation to take arms against the pagan oppressors in order to rescue the holy city from their yoke. (Gerberti Epistolæ, ap. Bouquet, Recueil, tom. x. p. 426.) In consequence of this spirited call, some subjects of the republic of Pisa equipped a fleet and invaded the territories of the Mahometans in Syria. (Murat., Script. Rer. Italic., vol. iii. p. 400.) The alarm was taken in the East, and an opinion prevailed A.D. 1010, that all the forces of Christendom were to unite in order to drive the Mahometans out of Palestine. (Chron. Ademari, ap. Bouquet, tom. x. p. 152.) It is evident from all these particulars that the ideas which led the crusaders to undertake their wild enterprise did not arise, according to the description of many authors, from a sudden fit of frantic enthusiasm, but were gradually

formed; so that the universal concourse to the standard of the cross, when erected by Urban II., will appear less surprising.

If the various circumstances which I have enumerated in this note, as well as in the history, are sufficient to account for the ardour with which such vast numbers engaged in such a dangerous undertaking, the extensive privileges and immunities granted to the persons who assumed the cross serve to account for the long continuance of this spirit in Europe. 1. They were exempted from prosecutions on account of debt during the time of their being engaged in this holy service. (Du Cange, voc. *Crucis Privilegium*, vol. ii. p. 1194.) 2. They were exempted from paying interest for the money which they had borrowed in order to fit them for this sacred warfare. (Ibid.) 3. They were exempted either entirely, or at least during a certain time, from the payment of taxes. (Ibid.; Ordonnances des Rois de France, tom. i. p. 33.) 4. They might alienate their lands without the consent of the superior lord of whom they held. (Ibid.) 5. Their persons and effects were taken under the protection of St. Peter, and the anathemas of the Church were denounced against all who should molest them, or carry on any quarrel or hostility against them, during their absence on account of the holy war. (Du Cange, ibid.; Guibertus Abbas, ap. Bongars., vol. i. pp. 480, 482.) 6. They enjoyed all the privileges of ecclesiastics, and were not bound to plead in any civil court, but were declared subject to the spiritual jurisdiction alone. (Du Cange, ibid.; Ordon. des Rois, tom. i. pp. 34, 174.) 7. They obtained a plenary remission of all their sins, and the gates of heaven were set open to them, without requiring any other proof of their penitence but their engaging in this expedition; and thus by gratifying their favourite passion, the love of war, they secured to themselves immunities which were not usually obtained but by paying large sums of money or by undergoing painful penances. (Guibertus Abbas, p. 480.) When we behold the civil and ecclesiastical powers vying with each other and straining their invention in order to devise expedients for encouraging and adding strength to the spirit of superstition, can we be surprised that it should become so general as to render it infamous, and a mark of cowardice, to decline engaging in the holy war? (Willerm. Tyriensis, ap. Bongars., vol. ii. p. 641.) The histories of the crusades written by modern authors, who are apt to substitute the ideas and maxims of their own age in the place of those which influenced the persons whose actions they attempt to relate, convey a very imperfect notion of the spirit at that time predominant in Europe. The original historians, who were animated themselves with the same passions which possessed their contemporaries, exhibit to us a more striking picture of the times and manners which they describe. The enthusiastic rapture with which they account for the effects of the pope's discourse in the Council of Clermont, the exultation with which they mention the numbers who devoted themselves to this holy warfare, the confidence with which they express their reliance on the divine protection, the ecstasy of joy with which they describe their taking possession of the holy city, will enable us to conceive in some degree the extravagance of that zeal which agitated the minds of men with such violence, and will suggest as many singular reflections to a philosopher as any occurrence in the history of mankind. It is unnecessary to select the particular passages in the several historians which confirm this observation. But, lest those authors may be suspected of adorning their narrative with any exaggerated description, I shall appeal to one of the leaders who conducted the enterprise. There is extant a letter from Stephen, the earl of Chartres and Blois, to Adela his wife, in which he gives her an account of the progress of the crusaders. He describes the crusaders as the chosen army of Christ, as the servants and soldiers of God, as men who marched under the immediate protection of the Almighty, being conducted by his hand to victory and conquest. He speaks of the Turks as accursed, sacrilegious, and devoted by Heaven to destruction; and when he mentions the soldiers in the Christian army who had died or were killed, he is confident that their souls were admitted directly into the joys of Paradise. Dacherii Spicilegium, vol. iv. p. 257.

The expense of conducting numerous bodies of men from Europe to Asia must have been excessive, and the difficulty of raising the necessary sums must have been proportionally great, during ages when the public revenues in every nation of Europe were extremely small. Some account is preserved of the expedients employed by Humbert II., Dauphin of Vienne, in order to levy the money requisite towards equipping him for the crusade, A.D. 1346. These I shall mention, as they tend to show the considerable influence which the crusades had both on the state of property and of civil government. 1. He exposed to sale part of his domains; and, as the price was destined for such a sacred service, he obtained the consent of the French king, of whom these lands were held, ratifying the alienation. (Hist. de Dauphiné, tom. i. pp. 332, 335.) 2. He issued a proclamation in which he promised to grant new privileges to the nobles, as well as new immunities to the cities and towns in his territories, in consideration of certain sums which they were instantly to pay on that account. (Ibid., tom. ii. p. 522.) Many of the charters of community, which I shall mention in another note, were obtained in this manner. 3. He exacted a contribution towards defraying the charges of the expedition from all his subjects, whether ecclesiastics or laymen, who did not accompany him in person to the East. (Ibid., tom. i. p. 335.) 4. He appropriated a considerable part of his usual revenues for the support of the troops to be employed in this service. (Ibid., tom. ii. p. 518.) 5. He exacted considerable sums, not only of the Jews settled in his dominions, but also of the Lombards and other bankers who had fixed their residence there. (Ibid., tom. i. p. 338, tom. ii. p. 528.)

Notwithstanding the variety of these resources, the dauphin was involved in such expense by this expedition that on his return he was obliged to make new demands on his subjects and to pillage the Jews by fresh exactions. (Ibid., tom. i. pp. 344, 347.) When the Count de Foix engaged in the first crusade, he raised the money necessary for defraying the expenses of that expedition by alienating part of his territories. (Hist. de Langued., par D. D. de Vic et Vaisette, tom. ii. p. 287.) In like manner Baldwin, count of Hainault, mortgaged or sold a considerable portion of his dominions to the bishop of Liege, A.D. 1096. (Du Mont, Corps Diplomatique, tom. i. p. 59.) At a later period Baldwin, count of Namur, sold part of his estate to a monastery, when he intended to assume the cross, A.D. 1239. Miræi Oper., i. p. 313.

Note XIV.—Sect. I. p. 15.

The usual method of forming an opinion concerning the comparative state of manners in two different nations is by attending to the facts which historians relate concerning each of them. Various passages might be selected from the Byzantine historians, describing the splendour and magnificence of the Greek empire. P. de Montfaucon has produced from the writings of St. Chrysostom a very full account of the elegance and luxury of the Greeks in his age. That father, in his sermons, enters into such minute details concerning the manners and customs of his contemporaries as appear strange in discourses from the pulpit. P. de Montfaucon has collected these descriptions and ranged them under different heads. The court of the more early Greek emperors seems to have resembled those of Eastern monarchs, both in magnificence and in corruption of manners. The emperors in the eleventh century, though inferior in power, did not yield to them in ostentation and splendour. (Mémoires de l'Acad. des Inscript., tom. xx. p. 197.) But we may decide concerning the comparative state of manners in the Eastern empire, and among the nations in the West of Europe, by another method, which if not more certain is at least more striking. As Constantinople was the place of rendezvous for all the armies of the crusaders, this brought together the people of the East and West as to one great interview. There are extant several contemporary authors, both among the Greeks and Latins, who were witnesses of this singular congress of people formerly strangers in a great measure to each other. They describe with simplicity and candour the impression which that new spectacle made upon their own minds. This may be considered as the most lively and just picture of the real character and manners of each people. When the Greeks speak of the Franks, they describe them as barbarians, fierce, illiterate, impetuous, and savage. They assume a tone of superiority, as a more polished people, acquainted with the arts both of government and of elegance, of which the other was ignorant. It is thus Anna Comnena describes the manners of the Latins (Alexias, pp. 224, 231, 237, ap. Byz. Script., vol. ix.). She always views them with contempt as a rude people, the very mention of whose names was sufficient to contaminate the beauty and elegance of history (p. 229). Nicetas Choniatas inveighs against them with still more violence, and gives an account of their ferocity and devastations in terms not unlike those which preceding historians had employed in describing the incursions of the Goths and Vandals. (Nicet. Chon., ap. Byz. Script., vol. iii. p. 302, etc.) But, on the other hand, the Latin historians were struck with astonishment at the magnificence, wealth, and elegance which they discovered in the Eastern empire. "Oh, what a vast city is Constantinople," exclaims Fulcherius Carnotensis when he first beheld it, "and how beautiful! How many monasteries are there in it, and how many palaces built with wonderful art! How many manufactures are there in the city amazing to behold! It would be astonishing to relate how it abounds with all good things, with gold, silver, and stuffs of various kinds; for every hour ships arrive in its port laden with all things necessary for the use of man." (Fulcher., ap. Bongars., vol. i. p. 386.) Willermus, archbishop of Tyre, the most intelligent historian of the crusades, seems to be fond, on every occasion, of describing the elegance and splendour of the court of Constantinople, and adds that what he and his countrymen observed there exceeded any idea which they could have formed of it, "nostrarum enim rerum modum et dignitatem excedunt." (Willerm. Tyr., ap Bong., vol. ii. pp. 657, 664.) Benjamin the Jew, of Tudela in Navarre, who began his travels A.D. 1173, appears to have been equally astonished at the magnificence of that city, and gives a description of its splendour in terms of high admiration. (Benj. Tudel., ap. Les Voyages faits dans les 12e, 13e, etc. Siècles, par Bergeron, p. 10, etc.) Guntherus, a French monk, who wrote a history of the conquest of Constantinople by the crusaders in the thirteenth century, speaks of the magnificence of that city in the same tone of admiration: "Structuram autem ædificiorum in corpora civitatis, in ecclesiis videlicet, et turribus, et in domibus magnatorum, vix ullus vel describere potest, vel credere describenti, nisi qui ea oculata fide cognoverit." (Hist. Constantinop., ap. Canisii Lectiones Antiquas, fol., Antw., 1725, vol. iv. p. 14.) Geoffrey de Villehardouin, a nobleman of high rank, and accustomed to all the magnificence then known in the West, describes in similar terms the astonishment and admiration of such of his fellow-soldiers as beheld Constantinople for the first time. "They could not have believed," says he, "that there was a city so beautiful and so rich in the whole world. When they viewed its high walls, its lofty towers, its rich palaces, its superb churches, all appeared so great that they could have formed no conception of this sovereign

city unless they had seen it with their own eyes." (Histoire de la Conquête de Constantinople, p. 49.) From these undisguised representations of their own feelings it is evident that to the Greeks the crusaders appeared to be a race of rude, unpolished barbarians; whereas the latter, how much soever they might contemn the unwarlike character of the former, could not help regarding them as far superior to themselves in elegance and arts. That the state of government and manners was much more improved in Italy than in the other countries of Europe is evident not only from the facts recorded in history, but it appears that the more intelligent leaders of the crusaders were struck with the difference. Jacobus de Vitriaco, a French historian of the holy war, makes an elaborate panegyric on the character and manners of the Italians. He views them as a more polished people, and particularly celebrates them for their love of liberty, and civil wisdom: "in consiliis circumspecti, in re suâ publicâ procurandâ diligentes et studiosi; sibi in posterum providentes; aliis subjici renuentes; ante omnia libertatem sibi defendentes; sub uno quem eligunt capitaneo, communitati suæ jura et instituta dictantes et similiter observantes." Histor. Hierosol., ap. Gesta Dei per Francos, vol. ii. p. 1085.

Note XV.—Sect. I. p. 17.

The different steps taken by the cities of Italy in order to extend their power and dominions are remarkable. As soon as their liberties were established and they began to feel their own importance, they endeavoured to render themselves masters of the territory round their walls. Under the Romans, when cities enjoyed municipal privileges and jurisdiction, the circumjacent lands belonged to each town and were the property of the community. But, as it was not the genius of the feudal policy to encourage cities or to show any regard for their possessions and immunities, these lands had been seized and shared among the conquerors The barons to whom they were granted erected their castles almost at the gates of the city, and exercised their jurisdiction there. Under pretence of recovering their ancient property, many of the cities in Italy attacked these troublesome neighbours, and, dispossessing them, annexed their territories to the communities, and made thereby a considerable addition to their power. Several instances of this occur in the eleventh and beginning of the twelfth centuries. (Murat., Antiq. Ital., vol. iv. p. 159, etc.) Their ambition increasing together with their power, the cities afterwards attacked several barons situated at a greater distance from their walls, and obliged them to engage that they would become members of their community; that they would take the oath of fidelity to their magistrates; that they would subject their lands to all burdens and taxes imposed by common consent; that they would defend the community against all its enemies; and that they would reside within the city during a certain specified time in each year. (Murat., ibid., p. 163.) This subjection of the nobility to the municipal government established in cities became almost universal, and was often extremely grievous to persons accustomed to consider themselves as independent. Otto Frisingensis thus describes the state of Italy under Frederic I.: "The cities so much affect liberty, and are so solicitous to avoid the insolence of power, that almost all of them have thrown off every other authority and are governed by their own magistrates. Insomuch that all that country is now filled with free cities, most of which have compelled their bishops to reside within their walls, and there is scarcely any nobleman, how great soever his power may be, who is not subject to the laws and government of some city." (De Gestis Frider. I. Imp., lib. ii. c. 13, p. 453.) In another place he observes of the marquis of Montferrat that he was almost the only Italian baron who had preserved his independence and had not become subject to the laws of any city. (See also Muratori, Antichità Estensi, vol. i. pp. 411, 412.) That state into which some of the nobles were compelled to enter, others embraced from choice. They observed the high degree of security, as well as of credit and estimation, which the growing wealth and dominion of the great communities procured to all the members of them. They were desirous to partake of these and to put themselves under such powerful protection. With this view they voluntarily became citizens of the towns to which their lands were most contiguous, and, abandoning their ancient castles, took up their residence in the cities, at least during part of the year. Several deeds are still extant by which some of the most illustrious families in Italy are associated as citizens of different cities. (Murat., ibid., p. 165, etc.) A charter by which Atto de Macerata is admitted as a citizen of Osima, A.D. 1198, in the Marcha di Ancona, is still extant. In this he stipulates that he will acknowledge himself to be a burgess of that community; that he will to the utmost of his power promote its honour and welfare; that he will obey its magistrates; that he will enter into no league with its enemies; that he will reside in the town during two months in every year, or for a longer time, if required by the magistrates. The community, on the other hand, take him, his family, and friends, under their protection, and engage to defend him against every enemy. (Fr. Ant. Zacharias, Anecdota Medii Ævi, Aug. Taur., 1755, fol., p. 66.) This privilege was deemed so important that not only laymen, but ecclesiastics of the highest rank, condescended to be adopted as members of the great communities, in hopes of enjoying the safety and dignity which that condition conferred. (Murat., ibid., p. 179.) Before the institution of communities, persons of noble birth had no other residence but their castles. They kept their petty courts there; and the cities were deserted, having hardly any inhabitants but

slaves or persons of low condition. But, in consequence of the practice which I have mentioned, cities not only became more populous, but were filled with inhabitants of better rank, and a custom which still subsists in Italy was then introduced, that all families of distinction reside more constantly in the great towns than is usual in other parts of Europe. As cities acquired new consideration and dignity by the accession of such citizens, they became more solicitous to preserve their liberty and independence. The emperors, as sovereigns, had anciently a palace in almost every great city of Italy: when they visited that country, they were accustomed to reside in these palaces, and the troops which accompanied them were quartered in the houses of the citizens. This the citizens deemed both ignominious and dangerous. They could not help considering it as receiving a master and an enemy within their walls. They laboured, therefore, to get free of this subjection. Some cities prevailed on the emperors to engage that they would never enter their gates, but take up their residence without the walls. (Chart. Hen. IV., Murat., ibid., p. 24.) Others obtained the imperial license to pull down the palace situated within their liberties, on condition that they built another in the suburbs for the occasional reception of the emperor. (Chart. Hen. IV., Murat., ibid., p. 25.) These various encroachments of the Italian cities alarmed the emperors, and put them on schemes for re-establishing the imperial jurisdiction over them on its ancient footing. Frederic Barbarossa engaged in this enterprise with great ardour. The free cities of Italy joined together in a general league, and stood on their defence; and after a long contest, carried on with alternate success, a solemn treaty of peace was concluded at Constance, A.D. 1183, by which all the privileges and immunities granted by former emperors to the principal cities in Italy were confirmed and ratified. (Murat., Dissert. XLVIII.) This treaty of Constance was considered as such an important article in the jurisprudence of the Middle Ages that it is usually published together with the Libri Feudorum at the end of the Corpus Juris Civilis. The treaty secured privileges of great importance to the confederate cities, and though it reserved a considerable degree of authority and jurisdiction to the empire, yet the cities persevered with such vigour in their efforts in order to extend their immunities, and the conjunctures in which they made them were so favourable, that before the conclusion of the thirteenth century most of the great cities in Italy had shaken off all marks of subjection to the empire and were become independent sovereign republics. It is not requisite that I should trace the various steps by which they advanced to this high degree of power, so fatal to the empire and so beneficial to the cause of liberty in Italy. Muratori, with his usual industry, has collected many original papers which illustrate this curious and little known part of history. Murat., Antiq. Ital., Dissert L. See also Jo. Bapt. Villanovæ Hist. Laudis Pompeii sive Lodi, in Græv. Thes. Antiquit. Ital., vol. iii. p. 888.

Note XVI.—Sect. I. p. 18.

Long before the institution of communities in France, charters of immunity or franchise were granted to some towns and villages by the lords on whom they depended. But these are very different from such as became common in the twelfth and thirteenth centuries. They did not erect these towns into corporations; they did not establish a municipal government; they did not grant them the privilege of bearing arms. They contained nothing more than a manumission of the inhabitants from the yoke of servitude; an exemption from certain services which were oppressive and ignominious; and the establishment of a fixed tax or rent which the citizens were to pay to their lord in place of impositions which he could formerly lay upon them at pleasure. Two charters of this kind to two villages in the county of Roussillon, one in A.D. 974, the other in A.D. 1025, are still extant. (Petr. de Marca, *Marca*, sive Limes Hispanicus, App., pp. 909, 1038.) Such concessions, it is probable, were not unknown in other parts of Europe, and may be considered as a step towards the more extensive privileges conferred by Louis le Gros on the towns within his domains. The communities in France never aspired to the same independence with those in Italy. They acquired new privileges and immunities, but the right of sovereignty remained entire to the king or baron within whose territories the respective cities were situated and from whom they received the charter of their freedom. A great number of these charters, granted both by the kings of France and by their great vassals, are published by M. d'Achery in his Spicilegium, and many are found in the collection of the Ordonnances des Rois de France. These convey a very striking representation of the wretched condition of cities previous to the institution of communities, when they were subject to the judges appointed by the superior lords of whom they held, and who had scarcely any other law but their will. Each concession in these charters must be considered as a grant of some new privileges which the people did not formerly enjoy, and each regulation as a method of redressing some grievance under which the inhabitants of cities formerly laboured. The charters of communities contain likewise the first expedients employed for the introduction of equal laws and regular government. On both these accounts they merit particular attention, and therefore, instead of referring my readers to the many bulky volumes in which they are scattered, I shall give them a view of some of the most important articles in these charters, ranged under two general heads. I. Such as respect personal safety. II. Such as respect the security of property.

I. During that state of turbulence and disorder which the corruption of the feudal government

introduced into Europe, personal safety was the first and great object of every individual; and, as the great military barons alone were able to give sufficient protection to their vassals, this was one great source of their power and authority. But by the institution of communities effectual provision was made for the safety of individuals, independent of the nobles. For, 1. The fundamental article in every charter was that all the members of the community bound themselves by oath to assist, defend, and stand by each other against all aggressors, and that they should not suffer any person to injure, distress, or molest any of their fellow-citizens. (D'Acher., Spicil., x. 642, xi. 341, etc.) 2. Whoever resided in any town which was made free was obliged, under a severe penalty, to accede to the community and to take part in the mutual defence of its members. (D'Acher., Spicil., xi. 344.) 3. The communities had the privilege of carrying arms; of making war on their private enemies; and of executing by military force any sentence which their magistrates pronounced. (D'Acher., Spicil., x. 643, 644, xi. 343.) 4. The practice of making satisfaction by a pecuniary compensation for murder, assault, or other acts of violence, most inconsistent with the order of society and the safety of individuals, was abolished; and such as committed these crimes were punished capitally, or with rigour adequate to their guilt. (D'Ach., xi. 362; Miræi Opera Diplomatica, i. 292.) 5. No member of a community was bound to justify or defend himself by battle or combat; but if he was charged with any crime he could be convicted only by the evidence of witnesses and the regular course of legal proceedings. (Miræus, ibid.; D'Ach., xi. 375, 349; Ordon., tom. iii. p. 265.) 6. If any man suspected himself to be in danger from the malice or enmity of another, upon his making oath to that effect before a magistrate the person suspected was bound under a severe penalty to give security for his peaceable behaviour. (D'Ach., xi. 346.) This is the same species of security which is still known in Scotland under the name of *law burrows*. In France it was first introduced among the inhabitants of communities, and, having been found to contribute considerably towards personal safety, it was extended to all the other members of the society. Etablissemens de St. Louis, liv. i. cap. 28, ap. Du Cange, Vie de St. Louis, p. 15.

II. The provisions in the charters of communities concerning the security of property are not less considerable than those respecting personal safety. By the ancient law of France, no person could be arrested or confined in prison on account of any private debt. (Ordon. des Rois de France, tom. i. pp. 72, 80. If any person was arrested upon any pretext but his having been guilty of a capital crime, it was lawful to rescue him out of the hands of the officers who had seized him. (Ordon., tom. iii. p. 17.) Freedom from arrest on account of debt seems likewise to have been enjoyed in other countries. (Gudenus, Sylloge Diplom., 473.) In society, while it remained in its rudest and most simple form, debt seemed to have been considered as an obligation merely personal. Men had made some progress towards refinement before creditors acquired a right of seizing the property of their debtors in order to recover payment. The expedients for this purpose were all introduced originally in communities, and we can trace the gradual progress of them. 1. The simplest and most obvious species of security was that the person who sold any commodity should receive a pledge from him who bought it, which he restored upon receiving payment. Of this custom there are vestiges in several charters of community. (D'Ach., ix. 185, xi. 377.) 2. When no pledge was given, and the debtor became refractory or insolvent, the creditor was allowed to seize his effects with a strong hand and by his private authority: the citizens of Paris are warranted by the royal mandate, "ut ubicumque, et quocumque modo poterunt, tantum capiant, unde pecuniam sibi debitam integrè et plenariè habeant, et inde sibi invicem adjutores existant." (Ordon., etc., tom. i. p. 6.) This rude practice, suitable only to the violence of that which has been called a state of nature, was tolerated longer than one can conceive to be possible in any society where laws and order were at all known. The ordinance authorizing it was issued A.D. 1134; and that which corrects the law, and prohibits creditors from seizing the effects of their debtors unless by a warrant from a magistrate and under his inspection, was not published until the year 1351. (Ordon., tom. ii. p. 438.) It is probable, however, that men were taught, by observing the disorders which the former mode of proceeding occasioned, to correct it in practice long before a remedy was provided by a law to that effect. Every discerning reader will apply this observation to many other customs and practices which I have mentioned. New customs are not always to be ascribed to the laws which authorize them. Those statutes only give a legal sanction to such things as the experience of mankind has previously found to be proper and beneficial. 3. As soon as the interposition of the magistrate became requisite, regular provision was made for attaching or distraining the movable effects of a debtor; and if his movables were not sufficient to discharge the debt, his immovable property, or estate in land, was liable to the same distress, and was sold for the benefit of his creditor. (D'Ach., ix. 184, 185, xi. 348, 380.) As this regulation afforded the most complete security to the creditor, it was considered as so severe that humanity pointed out several limitations in the execution of it. Creditors were prohibited from seizing the wearing-apparel of their debtors, their beds, the door of their house, their instruments of husbandry, etc. (D'Ach., ix. 184, xi. 377.) Upon the same principles, when the power of distraining effects became more general, the horse and arms of a gentleman could not be seized. (D'Ach., ix. 185.) As hunting was the favourite amusement of martial nobles, the emperor Ludovicus Pius prohibited the seizing of a hawk on account of

any composition or debt. (Capitul., lib. iv. § 21.) But, if the debtor had no other movables, even these privileged articles might be seized. 4. In order to render the security of property complete within a community, every person who was admitted a member of it was obliged to buy or build a house, or to purchase lands within its precincts, or at least to bring into the town a considerable portion of his movables, *per quæ justiciari possit, si quid fortè in eum querelæ evenerit.* (D'Ach., xi 326; Ordon., tom. i. p. 367; Libertates S. Georgii de Esperanchia, Hist. de Dauphiné, tom. i. p. 26.) 5. That security might be as perfect as possible, in some towns the members of the community seem to have been bound for each other. (D'Ach., x. 644.) 6. All questions with respect to property were tried within the community, by magistrates and judges whom the citizens elected or appointed. Their decisions were more equal and fixed than the sentences which depended on the capricious and arbitrary will of a baron, who thought himself superior to all laws. (D'Ach., x. 644, 646, xi. 344, et passim; Ordon., tom. iii. p. 204.) 7. No member of a community could be burdened by any arbitrary tax; for the superior lord, who granted the charter of community, accepted of a fixed census or duty in lieu of all demands. (Ordon., tom. iii. p. 204; Libertates de Calma, Hist. de Dauphiné, tom. i. p. 19; Libertates S. Georgii de Esperanchia, ibid., p. 26.) Nor could the members of a community be distressed by an unequal imposition of the sum to be levied on the community. Regulations are inserted in the charters of some communities concerning the method of determining the quota of any tax to be levied on each inhabitant. (D'Ach., xi. 350, 365.) St. Louis published an ordinance concerning this matter, which extended to all the communities. (Ordon., tom. i. p. 186.) These regulations are extremely favourable to liberty, as they vest the power of proportioning the taxes in a certain number of citizens chosen out of each parish, who were bound by solemn oath to decide according to justice. That the more perfect security of property was one great object of those who instituted communities, we learn not only from the nature of the thing, but from the express words of several charters, of which I shall only mention that granted by Alienor, queen of England and duchess of Guienne, to the community of Poitiers, "ut sua propria melius defendere possint, et magis integrè custodire." (Du Cange, voc. *Communia*, vol. ii. p. 863.) Such are some of the capital regulations established in communities during the twelfth and thirteenth centuries. These may be considered as the first expedients for the re-establishment of law and order, and contributed greatly to introduce regular government among all the members of society. As soon as communities were instituted, high sentiments of liberty began to manifest themselves. When Humbert, lord of Beaujeu, upon granting a charter of community to the town of Belleville, exacted of the inhabitants an oath of fidelity to himself and successors, they stipulated, on their part, that he should swear to maintain their franchises and liberties; and, for their greater security, they obliged him to bring twenty gentlemen to take the same oath and to be bound together with him. (D'Ach., ix. 183.) In the same manner, the lord of Moriens in Dauphiné produced a certain number of persons as his sureties for the observation of the articles contained in the charter of community to that town. These were bound to surrender themselves prisoners to the inhabitants of Moriens if their liege-lord should violate any of their franchises, and they promised to remain in custody until he should grant the members of the community redress. (Hist. de Dauphiné, tom. i. p. 17.) If the mayor or chief magistrate of a town did any injury to a citizen, he was obliged to give security for his appearance in judgment, in the same manner as a private person, and, if cast, was liable to the same penalty. (D'Ach., ix. 183.) These are ideas of equality uncommon in the feudal times. Communities were so favourable to freedom that they were distinguished by the name of *libertates*. (Du Cange, vol. ii. p. 863.) They were at first extremely odious to the nobles, who foresaw what a check they must prove to their power and domination. Guibert, abbot of Nogent, calls them execrable inventions, by which, contrary to law and justice, slaves withdrew themselves from that obedience which they owed to their masters. (Du Cange, ibid., p. 862.) The zeal with which some of the nobles and powerful ecclesiastics opposed the establishment of communities and endeavoured to circumscribe their privileges was extraordinary. A striking instance of this occurs in the contests between the archbishop of Rheims and the inhabitants of that community. It was the chief business of every archbishop, during a considerable time, to abridge the rights and jurisdiction of the community; and the great object of the citizens, especially when the see was vacant, to maintain, to recover, and to extend their own jurisdiction. Histoire civile et politique de la Ville de Reims, par M. Anquetil, tom. i. p. 287, etc.

The observations which I have made concerning the low state of cities, and the condition of their inhabitants, are confirmed by innumerable passages in the historians and laws of the Middle Ages. It is not improbable, however, that some cities of the first order were in a better state and enjoyed a superior degree of liberty. Under the Roman government the municipal government established in cities was extremely favourable to liberty. The jurisdiction of the senate in each corporation, and the privileges of the citizens, were both extensive. There is reason to believe that some of the greater cities, which escaped the destructive rage of the barbarous nations, still retained their ancient form of government, at least in a great measure. They were governed by a council of citizens, and by magistrates whom they themselves elected. Very strong presumptions in favour of this opinion are produced by M. l'Abbé de Bos, Hist. crit. de la Mon. Franç., tom. i. p. 18, etc., tom. ii. p. 524, edit. 1742. It appears from some of

the charters of community to cities, granted in the twelfth and thirteenth centuries, that these only confirm the privileges possessed by the inhabitants previous to the establishment of the community. (D'Acher., Spicileg., vol. xi. p. 345.) Other cities claimed their privileges, as having possessed them without interruption from the times of the Romans. (Hist. crit. de la Mon. Franç., tom. ii. p 333.) But the number of cities which enjoyed such immunities was so small as hardly in any degree to diminish the force of my conclusions in the text.

Note XVII.—Sect. I. p. 18.

Having given a full account of the establishment, as well as effects, of communities in Italy and France, it will be necessary to inquire with some attention into the progress of cities and of municipal government in Germany. The ancient Germans had no cities. Even in their hamlets or villages they did not build their houses contiguous to each other. (Tacit., de Mor. Germ., cap. 16.) They considered it as a badge of servitude to be obliged to dwell in a city surrounded with walls. When one of their tribes had shaken off the Roman yoke, their countrymen required of them, as an evidence of their having recovered liberty, to demolish the walls of a town which the Romans had built in their country. Even the fiercest animals, said they, lose their spirit and courage when they are confined. (Tacit., Histor., lib. iv. c. 64.) The Romans built several cities of note on the banks of the Rhine. But in all the vast countries from that river to the coasts of the Baltic there was hardly one city previous to the ninth century of the Christian era. (Conringius, Exercitatio de Urbibus Germaniæ, Oper., vol. i. §§ 25, 27, 31, etc.) Heineccius differs from Conringius with respect to this. But, even after allowing to his arguments and authorities their utmost force, they prove only that there were a few places in those extensive regions on which some historians have bestowed the name of towns. (Elem. Jur. German., lib. i. § 102.) Under Charlemagne and the emperors of his family, as the political state of Germany began to improve, several cities were founded, and men became accustomed to associate and to live together in one place. Charlemagne founded two archbishoprics and nine bishoprics in the most considerable towns of Germany. (Aub. Miræi Opera Diplomatica, vol. i. p. 16.) His successors increased the number of these; and as bishops fixed their residence in the chief town of their diocese, and performed religious functions there, that induced many people to settle in them. (Conring., ibid., § 48.) But Henry, surnamed the Fowler, who began his reign A.D. 920, must be considered as the great founder of cities in Germany. The empire was at that time infested by the incursions of the Hungarians and other barbarous people. In order to oppose them, Henry encouraged his subjects to settle in cities, which he surrounded with walls strengthened by towers. He enjoined or persuaded a certain proportion of the nobility to fix their residence in the towns, and thus rendered the condition of citizens more honourable than it had been formerly. (Wittikindus, Annal., lib. i., ap. Conring., § 82.) From this period the number of cities continued to increase, and they became more populous and more wealthy. But cities in Germany were still destitute of municipal liberty or jurisdiction. Such of them as were situated in the imperial demesnes were subject to the emperors. Their *comites*, *missi*, and other judges presided in them and dispensed justice. Towns situated on the estate of a baron were part of his fief, and he or his officers exercised a similar jurisdiction in them. (Conring, ibid., §§ 73, 74; Heinec., Elem. Jur. Germ., lib. i. § 104.) The Germans borrowed the institution of communities from the Italians. (Knipschildius, Tractatus Politico-Histor. Jurid. de Civitatum Imperialium Juribus, vol. i. lib. i. cap. 5, no. 23.) Frederic Barbarossa was the first emperor who, from the same political consideration that influenced Louis le Gros, multiplied communities in order to abridge the power of the nobles. (Pfeffel, Abrégé de l'Histoire et du Droit publique d'Allemagne, 4to, p. 297.) From the reign of Henry the Fowler to the time when the German cities acquired full possession of their immunities, various circumstances contributed to their increase. The establishment of bishoprics (already mentioned), and the building of cathedrals, naturally induced many people to settle near the chief place of worship. It became the custom to hold councils and courts of judicature of every kind, ecclesiastical as well as civil, in cities. In the eleventh century many slaves were enfranchised, the greater part of whom settled in cities. Several mines were discovered and wrought in different provinces, which drew together such a concourse of people as gave rise to several cities and increased the number of inhabitants in others. (Conring., § 105.) The cities began in the thirteenth century to form leagues for their mutual defence, and for repressing the disorders occasioned by the private wars among the barons, as well as by their exactions. This rendered the condition of the inhabitants of cities more secure than that of any other order of men, and allured many to become members of their communities. (Conring., § 94.) There were inhabitants of three different ranks in the towns of Germany: the nobles, or *familiæ*; the citizens, or *liberi*; and the artisans, who were slaves, or *homines proprii*. (Knipschild., lib. ii. cap. 29, no. 13.) Henry V., who began his reign A.D. 1106, enfranchised the slaves who were artisans or inhabitants in several towns, and gave them the rank of citizens or *liberi*. (Pfeffel, p. 254; Knipsch., lib. ii. c. 29, nos. 113, 119.) Though the cities in Germany did not acquire liberty so early as those in France, they extended their privileges much farther. All the imperial and free cities, the number of which is considerable, acquired the full right of being *immediate*; by which term, in the German jurisprudence, we are to understand that they

are subject to the empire alone, and possess within their own precincts all the rights of complete and independent sovereignty. The various privileges of the imperial cities, the great guardians of the Germanic liberties, are enumerated by Knipschildius, lib. ii. The most important articles are generally known, and it would be improper to enter into any disquisition concerning minute particulars.

Note XVIII.—Sect. I. p. 18.

The Spanish historians are almost entirely silent concerning the origin and progress of communities in that kingdom; so that I cannot fix with any degree of certainty the time and manner of their first introduction there. It appears, however, from Mariana, vol. ii. p. 221, fol., Hagæ, 1736, that in the year 1350 eighteen cities had obtained a seat in the cortes of Castile. From the account which will be given of their constitution and pretensions, Sect. III. of this volume, it will appear that their privileges and form of government were the same with those of the other feudal corporations; and this, as well as the perfect similarity of political institutions and transactions in all the feudal kingdoms, may lead us to conclude that communities were introduced there in the same manner and probably about the same time as in the other nations of Europe. In Aragon, as I shall have occasion to observe in a subsequent note, cities seem early to have acquired extensive immunities, together with a share in the legislature. In the year 1118 the citizens of Saragossa had not only attained political liberty, but they were declared to be of equal rank with the nobles of the second class; and many other immunities, unknown to persons in their rank of life in other parts of Europe, were conferred upon them. (Zurita, Anales de Aragon, tom. i. p. 44.) In England, the establishment of communities or corporations was posterior to the Conquest. The practice was borrowed from France, and the privileges granted by the crown were perfectly similar to those which I have enumerated. But, as this part of history is well known to most of my readers, I shall, without entering into any critical or minute discussion, refer them to authors who have fully illustrated this interesting point in the English history. (Brady's Treatise of Boroughs; Madox, Firma Burgi, cap. i. sect. ix.; Hume's History of England, vol. i., Append. i. and ii.) It is not improbable that some of the towns in England were formed into corporations under the Saxon kings, and that the charters granted by the kings of the Norman race were not charters of enfranchisement from a state of slavery, but a confirmation of privileges which they already enjoyed. (See Lord Lyttelton's History of Henry II., vol. ii. p. 317.) The English cities, however, were very inconsiderable in the twelfth century. A clear proof of this occurs in the history to which I last referred. Fitzstephen, a contemporary author, gives a description of the city of London in the reign of Henry II., and the terms in which he speaks of its trade, its wealth, and the splendour of its inhabitants would suggest no inadequate idea of its state at present, when it is the greatest and most opulent city of Europe. But all ideas of grandeur and magnificence are merely comparative; and every description of them in general terms is very apt to deceive. It appears from Peter of Blois, archdeacon of London, who flourished in the same reign, and who had good opportunity of being well informed, that this city, of which Fitzstephen gives such a pompous account, contained no more than forty thousand inhabitants. (Ibid., pp. 315, 316.) The other cities were small in proportion, and were not in a condition to extort any extensive privileges. That the constitution of the boroughs in Scotland, in many circumstances, resembled that of the towns in France and England, is manifest from the Leges Burgorum, annexed to the Regiam Majestatem.

Note XIX.—Sect. I. p. 20.

Soon after the introduction of the third estate into the national council, the spirit of liberty which that excited in France began to produce conspicuous effects. In several provinces of France the nobility and communities formed associations whereby they bound themselves to defend their rights and privileges against the formidable and arbitrary proceedings of the king. The Count de Boulainvilliers has preserved a copy of one of these associations, dated in the year 1314, twelve years after the admission of the deputies from towns into the states-general. (Histoire de l'ancien Gouvernement de la France, tom. ii. p. 94.) The vigour with which the people asserted and prepared to maintain their rights obliged their sovereigns to respect them. Six years after this association, Philip the Long issued a writ of summons to the community of Narbonne, in the following terms: "Philip, by the grace, etc., to our well-beloved, etc. As we desire with all our heart, and above all other things, to govern our kingdom and people in peace and tranquillity, by the help of God, and to reform our said kingdom in so far as it stands in need thereof, for the public good and for the benefit of our subjects, who in times past have been aggrieved and oppressed in divers manners by the malice of sundry persons, as we have learned by common report, as well as by the information of good men worthy of credit, and we having determined in our council which we have called to meet in our good city, etc., to give redress to the utmost of our power, by all ways and means possible, according to reason and justice, and willing that this should be done with solemnity and deliberation by the advice of

the prelates, barons, and good towns of our realm, and particularly of you, and that it should be transacted agreeably to the will of God and for the good of our people, therefore we command," etc. (Mably, Observat., vol. iii., App., p. 386.) I shall allow these to be only the formal words of a public and legal style; but the ideas are singular, and much more liberal and enlarged than one could expect in that age. A popular monarch of Great Britain could hardly address himself to parliament in terms more favourable to public liberty. There occurs in the history of France a striking instance of the progress which the principles of liberty had made in that kingdom, and of the influence which the deputies of towns had acquired in the states-general. During the calamities in which the war with England and the captivity of King John had involved France, the states-general made a bold effort to extend their own privileges and jurisdiction. The regulations established by the states held A.D. 1355, concerning the mode of levying taxes, the administration of which they vested not in the crown, but in commissioners appointed by the states; concerning the coining of money; concerning the redress of the grievance of purveyance; concerning the regular administration of justice,—are much more suitable to the genius of a republican government than that of a feudal monarchy. This curious statute is published, Ordon., tom. iii. p. 19. Such as have not an opportunity to consult that large collection will find an abridgment of it in Hist. de France par Villaret. tom. ix. p. 130, or in Histoire de Boulainv., tom. ii. p. 213. The French historians represent the bishop of Laon, and Marcel, provost of the merchants of Paris, who had the chief direction of this assembly, as seditious tribunes, violent, interested, ambitious, and aiming at innovations subversive of the constitution and government of their country. That may have been the case; but these men possessed the confidence of the people; and the measures which they proposed as the most popular and acceptable, as well as most likely to increase their own influence, plainly prove that the spirit of liberty had spread wonderfully, and that the ideas which then prevailed in France concerning government were extremely liberal. The states-general held at Paris A.D. 1355 consisted of about eight hundred members, and above one-half of these were deputies from towns. (M. Secousse, Pref. à Ordon., tom. iii. p 48.) It appears that in all the different assemblies of the states held during the reign of John the representatives of towns had great influence, and in every respect the third state was considered as co-ordinate and equal to either of the other two. (Ibid., passim.) These spirited efforts were made in France long before the House of Commons in England acquired any considerable influence in the legislature. As the feudal system was carried to its utmost height in France sooner than in England, so it began to decline sooner in the former than in the latter kingdom. In England, almost all attempts to establish or to extend the liberty of the people have been successful; in France, they have proved unfortunate. What were the accidental events or political causes which occasioned this difference it is not my present business to inquire.

Note XX.—Sect. I. p. 21.

In a former Note [No. VIII.] I have inquired into the condition of that part of the people which was employed in agriculture, and have represented the various hardships and calamities of their situation. When charters of liberty or manumission were granted to such persons, they contained four concessions corresponding to the four capital grievances to which men in a state of servitude are subject. 1. The right of disposing of their persons by sale or grant was relinquished. 2. Power was given to them of conveying their property and effects by will or any other legal deed. Or if they happened to die intestate, it was provided that their property should go to their lawful heirs, in the same manner as the property of other persons. 3. The services and taxes which they owed to their superior or liege-lord, which were formerly arbitrary and imposed at pleasure, are precisely ascertained. 4. They are allowed the privilege of marrying according to their own inclination: formerly they could contract no marriage without their lord's permission, and with no person but one of his slaves. All these particulars are found united in the charter granted "Habitatoribus Montis Britonis," A.D. 1376. (Hist. de Dauphiné, tom. i. p. 81.) Many circumstances concurred with those which I have mentioned in the text in procuring them deliverance from that wretched state. The gentle spirit of the Christian religion, the doctrines which it teaches concerning the original equality of mankind, its tenets with respect to the divine government and the impartial eye with which the Almighty regards men of every condition and admits them to a participation of his benefits, are all inconsistent with servitude. But in this, as in many other instances, considerations of interest and the maxims of false policy led men to a conduct inconsistent with their principles. They were so sensible, however, of this inconsistency, that to set their fellow-Christians at liberty from servitude was deemed an act of piety highly meritorious and acceptable to Heaven. The humane spirit of the Christian religion struggled long with the maxims and manners of the world, and contributed more than any other circumstance to introduce the practice of manumission. When Pope Gregory the Great, who flourished towards the end of the sixth century, granted liberty to some of his slaves, he gives this reason for it: "Cum Redemptor noster, totius conditor naturæ, ad hoc propitiatus humanam carnem voluerit assumere, ut divinitatis suæ gratia, dirempto (quo tenebamur captivi) vinculo, pristinæ nos restitueret libertati; salubriter agitur, si homines, quos ab initio liberos natura protulit, et jus gentium jugo substituit

servitutis, in ea, qua nati fuerant, manumittentis beneficio, libertati reddantur." (Gregor. Magn., ap. Potgiess. lib. iv. c. 1, § 3.) Several laws or charters founded on reasons similar to this are produced by the same author. Accordingly, a great part of the charters of manumission, previous to the reign of Louis X., are granted "pro amore Dei, pro remedio animæ, et pro mercede animæ." (Murat., Antiq. Ital., vol. i. pp. 849, 850; Du Cange, voc. *Manumissio.*) The formality of manumission was executed in a church, as a religious solemnity. The person to be set free was led round the great altar with a torch in his hand, he took hold of the horns of the altar, and there the solemn words conferring liberty were pronounced. (Du Cange, ibid., vol. iv. p. 467.) I shall transcribe a part of a charter of manumission granted A.D. 1056, both as it contains a full account of the ceremonies used in this form of manumission, and as a specimen of the imperfect knowledge of the Latin tongue in that barbarous age. It is granted by Willa, the widow of Hugo, the duke and marquis, in favour of Cleriza, one of her slaves. "Et ideo nos Domine Wille inclite cometisse—libera et absolvo te Cleriza filia Uberto—pro timore omnipotentis Dei, et remedio luminarie anime bone memorie quondam supra scripto Domini Ugo gloriossissimo, ut quando illum Dominus de hac vita migrare jusserit, pars iniqua non abeat potestatem ullam, sed anguelus Domini nostri Jesu Christi colocare dignitur illum inter sanctos dilectos suos; et beatus Petrus princips apostolorum, qui habed potestatem omnium animarum ligandi et absolvendi, ut ipsi absolvat animæ ejus de peccatis sui, aperiad illum janua paradisi; pro eadem vero rationi, in mano mite te, Benzo presbiter, ut vadat tecum in ecclesia sancti Bartholomæi apostoli; traad de tribus vicibus circa altare ipsius ecclesiæ cum cæreo apprehensum in manibus tuis et manibus suis; deinde exite anbulate in via quadrubio, ubi quatuor vie se dividuntur. Statimque pro remedio luminarie anime bone memorie quondam supra scripto Domini Ugo et ipsi presbiter Benzo fecit omnia, et dixit, Ecce quatuor vie, ite et ambulate in quacunque partem tibi placuerit, tam sic supra scripta Cleriza, qua nosque tui heredes, qui ab ac hora in antea nati, vel procreati fuerit utriusque sexus," etc. (Murat., ibid., p. 853.) Many other charters might have been selected which in point of grammar or style are in no wise superior to this. Manumission was frequently granted on death-bed or by latter will. As the minds of men are at that time awakened to sentiments of humanity and piety, these deeds proceeded from religious motives, and were granted *pro redemptione animæ*, in order to obtain acceptance with God. (Du Cange, ubi supra, p. 470, et voc. *Servus*, vol. vi. p. 451.) Another method of obtaining liberty was by entering into holy orders, or taking the vow in a monastery. This was permitted for some time; but so many slaves escaped, by this means, out of the hands of their masters, that the practice was afterwards restrained, and at last prohibited, by the laws of almost all the nations of Europe. (Murat., ibid., p. 842.) Conformably to the same principles, princes, on the birth of a son, or upon any other agreeable event, appointed a certain number of slaves to be enfranchised, as a testimony of their gratitude to God for that benefit. (Marculfi Form., lib. i. cap. 39.) There are several forms of manumission published by Marculfus, and all of them are founded on religious considerations, in order to procure the favour of God or to obtain the forgiveness of their sins. (Lib. ii. c. 23, 33, 34, edit. Baluz.) The same observation holds with respect to the other collections of Formulæ annexed to Marculfus. As sentiments of religion induced some to grant liberty to their fellow-Christians who groaned under the yoke of servitude, so mistaken ideas concerning devotion led others to relinquish their liberty. When a person conceived an extraordinary respect for the saint who was the patron of any church or monastery in which he was accustomed to attend religious worship, it was not unusual, among men possessed with an excess of superstitious reverence, to give up themselves and their posterity to be the slaves of the saint. (Mabillon, De Re Diplomat., lib. vi. p. 632.) The *oblati*, or voluntary slaves of churches or monasteries, were very numerous, and may be divided into three different classes. The first were such as put themselves and effects under the protection of a particular church or monastery, binding themselves to defend its privileges and property against every aggressor. These were prompted to do so not merely by devotion, but in order to obtain that security which arose from the protection of the Church. They were rather vassals than slaves, and sometimes persons of noble birth found it prudent to secure the protection of the Church in this manner. Persons of the second class bound themselves to pay an annual tax or quit-rent out of their estates to a church or monastery. Besides this, they sometimes engaged to perform certain services. They were called *censuales*. The last class consisted of such as actually renounced their liberty and became slaves in the strict and proper sense of the word. These were called *ministeriales*, and enslaved their bodies, as some of the charters bear, that they might procure the liberty of their souls. (Potgiesserus, De Statu Servorum, lib. i. c. 1, §§ 6, 7.) How zealous the clergy were to encourage the opinions which led to this practice, will appear from a clause in a charter by which one gives up himself as a slave to a monastery: "Cum sit omni carnali ingenuitate generosius extremum quodcumque Dei servitium, scilicet quod terrena nobilitas multos plerumque vitiorum servos facit, servitus vero Christi nobiles virtutibus reddit, nemo autem sani capitis virtutibus vitia comparaverit, claret pro certo eum esse generosiorem, qui se Dei servitio præbuerit proniorem. Quod ego Ragnaldus intelligens," etc. Another charter is expressed in the following words: "Eligens magis esse servus Dei quam libertus sæculi, firmiter credens et sciens, quod servire Deo, regnare est, summaque ingenuitas sit in qua servitus comparabatur Christi," etc. (Du Cange, voc. *Oblatus*, vol. iv. pp. 1286, 1287.) Great, however, as the power

of religion was, it does not appear that the enfranchisement of slaves was a frequent practice while the feudal system preserved its vigour. On the contrary, there were laws which set bounds to it, as detrimental to society. (Potgiess., lib. iv. c. 2, § 6.) The inferior order of men owed the recovery of their liberty to the decline of that aristocratical policy which lodged the most extensive power in the hands of a few members of the society and depressed all the rest. When Louis X. issued his ordinance, several slaves had been so long accustomed to servitude, and their minds were so much debased by that unhappy situation, that they refused to accept of the liberty which was offered them. (D'Ach., Spicil., vol. xi. p. 387.) Long after the reign of Louis X. several of the French nobility continued to assert their ancient dominion over their slaves. It appears from an ordinance of the famous Bertrand de Guesclin, constable of France, that the custom of enfranchising them was considered as a pernicious innovation. (Morice, Mém. pour servir de Preuves à l'Hist. de Bret., tom. ii. p. 100.) In some instances, when the prædial slaves were declared to be freemen, they were still bound to perform certain services to their ancient masters, and were kept in a state different from other subjects, being restricted either from purchasing land or becoming members of a community within the precincts of the manor to which they formerly belonged. (Martene et Durand, Thesaur. Anecdot., vol. i. p. 914.) This, however, seems not to have been common. There is no general law for the manumission of slaves in the Statute-book of England, similar to that which has been quoted from the Ordonnances of the kings of France. Though the genius of the English constitution seems early to have favoured personal liberty, personal servitude, nevertheless, continued long in England in some particular places. In the year 1514 we find a charter of Henry VIII. enfranchising two slaves belonging to one of his manors. (Rym., Fœder., vol. xiii. p. 470.) As late as the year 1574, there is a commission from Queen Elizabeth with respect to the manumission of certain bondmen belonging to her. Rymer, in Observat. on the Statutes, etc., p. 251.

Note XXI.—Sect. I. p. 24.

There is no custom in the Middle Ages more singular than that of private war. It is a right of so great importance, and prevailed so universally, that the regulations concerning it occupy a considerable place in the system of laws during the Middle Ages. M. de Montesquieu, who has unravelled so many intricate points in feudal jurisprudence and thrown light on so many customs formerly obscure and unintelligible, was not led by his subject to consider this. I shall therefore give a more minute account of the customs and regulations which directed a practice so contrary to the present ideas of civilized nations concerning government and order. 1. Among the ancient Germans, as well as other nations in a similar state of society, the right of avenging injuries was a private and personal right exercised by force of arms, without any reference to an umpire or any appeal to a magistrate for decision. The clearest proofs of this were produced; Note VI. 2. This practice subsisted among the barbarous nations after their settlement in the provinces of the empire which they conquered; and as the causes of dissension among them multiplied, their family feuds and private wars became more frequent. Proofs of this occur in their early historians (Greg. Turon., Hist., lib. vii. c. 2, lib. viii. c. 18, lib. x. c. 27), and likewise in the codes of their laws. It was not only allowable for the relations to avenge the injuries of their family, but it was incumbent on them. Thus, by the laws of the Angli and Werini, "ad quemcunque hereditas terræ pervenerit, ad illum vestis bellica, id est lorica et ultio proximi, et solatio feudis, debet pertinere" (tit. vi. § 5, ap. Lindenbr., Leg. Saliq., tit. 63; Leg. Longob., lib. ii. tit. 14, § 10). 3. None but gentlemen, or persons of noble birth, had the right of private war. All disputes between slaves, villani, the inhabitants of towns, and freemen of inferior condition, were decided in the courts of justice. All disputes between gentlemen and persons of inferior rank were terminated in the same manner. The right of private war supposed nobility of birth and equality of rank in both the contending parties. (Beaumanoir, Coustumes de Beauv., ch. lix. p. 300; Ordon. des Rois de France, tom. ii. p. 395, § xvii. p. 508, § xv., etc.) The dignified ecclesiastics likewise claimed and exercised the right of private war; but, as it was not altogether decent for them to prosecute quarrels in person, *advocati* or *vidames* were chosen by the several monasteries or bishoprics. These were commonly men of high rank and reputation, who became the protectors of the churches and convents by which they were elected; espoused their quarrels, and fought their battles; "armis omnia quæ erant ecclesiæ viriliter defendebant, et vigilanter protegebant." (Brussel, Usage des Fiefs, tom. i. p. 144; Du Cange, voc. *Advocatus*.) On many occasions the martial ideas to which ecclesiastics of noble birth were accustomed made them forget the pacific spirit of their profession, and led them into the field in person at the head of their vassals: "flamma, ferro, cæde, possessiones ecclesiarum prælati defendebant." (Guido Abbas, ap. Du Cange, ibid., p. 179.) 4. It was not every injury or trespass that gave a gentleman a title to make war upon his adversary. Atrocious acts of violence, insults, and affronts, publicly committed, were legal and permitted motives for taking arms against the authors of them. Such crimes as are now punished capitally in civilized nations at that time justified private hostilities. (Beauman., ch. lix.; Du Cange, Dissert. XXIX., sur Joinville, p. 331.) But though the avenging of injuries was the only motive that could legally authorize a private war, yet disputes concerning civil property often gave rise to hostilities and were terminated by the sword. (Du Cange, Dissert., p. 332.) 5. All persons

present when any quarrel arose or any act of violence was committed were included in the war which it occasioned; for it was supposed to be impossible for any man in such a situation to remain neuter, without taking side with one or other of the contending parties. (Beauman., p. 300.) 6. All the kindred of the two principals in the war were included in it, and obliged to espouse the quarrel of the chieftain with whom they were connected. (Du Cange, ibid., p. 332.) This was founded on the maxim of the ancient Germans, "suscipere tam inimicitias seu patris, seu propinqui, quam amicitias, necesse est;" a maxim natural to all rude nations, among which the form of society, and political union, strengthen such a sentiment. This obligation was enforced by legal authority. If a person refused to take part in the quarrel of his kinsman and to aid him against his adversary, he was deemed to have renounced all the rights and privileges of kindredship, and became incapable of succeeding to any of his relations, or of deriving any benefit from any civil right or property belonging to them. (Du Cange, Dissert., p. 333.) The method of ascertaining the degree of affinity which obliged a person to take part in the quarrel of a kinsman was curious. While the Church prohibited the marriage of persons within the seventh degree of affinity, the vengeance of private war extended as far as this absurd prohibition, and all who had such a remote connection with any of the principals were involved in the calamities of war. But when the Church relaxed somewhat of its rigour, and did not extend its prohibition of marrying beyond the fourth degree of affinity, the same restriction took place in the conduct of private war. (Beauman., p. 303; Du Cange, Dissert., p. 333.) 7. A private war could not be carried on between two full brothers, because both have the same common kindred, and consequently neither had any persons bound to stand by him against the other in the contest; but two brothers of the half-blood might wage war, because each of them has a distinct kindred. (Beauman., p. 299.) 8. The vassals of each principal in any private war were involved in the contest, because, by the feudal maxims, they were bound to take arms in defence of the chieftain of whom they held, and to assist him in every quarrel. As soon, therefore, as feudal tenures were introduced, and this artificial connection was established between vassals and the baron of whom they held, vassals came to be considered as in the same state with relations. (Beauman., p. 303.) 9. Private wars were very frequent for several centuries. Nothing contributed more to increase those disorders in government or to encourage such ferocity of manners as reduced the nations of Europe to that wretched state which distinguished the period of history which I am reviewing. Nothing was such an obstacle to the introduction of a regular administration of justice. Nothing could more effectually discourage industry or retard the progress and cultivation of the arts of peace. Private wars were carried on with all the destructive rage which is to be dreaded from violent resentment when armed with force and authorized by law. It appears from the statutes prohibiting or restraining the exercise of private hostilities that the invasion of the most barbarous enemy could not be more desolating to a country, or more fatal to its inhabitants, than those intestine wars. (Ordon., tom. i. p. 701, tom. ii. pp. 395, 408, 507, etc.) The contemporary historians describe the excesses committed in prosecution of these quarrels in such terms as excite astonishment and horror. I shall mention only one passage from the History of the Holy War, by Gilbert, abbot of Nogent: "Erat eo tempore, maximis ad invicem hostilitatibus, totus Francorum regni facta turbatio; crebra ubique latrocinia, viarum obsessio; audiebantur passim, immo fiebant incendia infinita; nullis præter sola et indomita cupiditate existentibus causis, extruebantur prælia; et ut brevi totum claudam, quicquid obtutibus cupidorum subjacebat, nusquam attendendo cujus esset, prædæ patebat." Gesta Dei per Francos, vol. i. p. 482.

Having thus collected the chief regulations which custom had established concerning the right and exercise of private war, I shall enumerate, in chronological order, the various expedients employed to abolish or restrain this fatal custom. 1. The first expedient employed by the civil magistrate, in order to set some bounds to the violence of private revenge, was the fixing by law the fine or composition to be paid for each different crime. The injured person was originally the sole judge concerning the nature of the wrong which he had suffered, the degree of vengeance which he should exact, as well as the species of atonement or reparation with which he might rest satisfied. Resentment became, of course, as implacable as it was fierce. It was often a point of honour not to forgive, nor to be reconciled. This made it necessary to fix those compositions which make so great a figure in the laws of barbarous nations. The nature of crimes and offences was estimated by the magistrate, and the sum due to the person offended was ascertained with a minute, and often a whimsical, accuracy. Rotharis, the legislator of the Lombards, who reigned about the middle of the seventh century, discovers his intention both in ascertaining the composition to be paid by the offender and in increasing its value: it is, says he, that the enmity may be extinguished, the prosecution may cease, and peace may be restored. (Leg. Longob., lib. i. tit. 7, § 10.) 2. About the beginning of the ninth century, Charlemagne struck at the root of the evil, and enacted "That when any person had been guilty of a crime, or had committed an outrage, he should immediately submit to the penance which the Church imposed, and offer to pay the composition which the law prescribed; and if the injured person or his kindred should refuse to accept of this, and presume to avenge themselves by force of arms, their lands and properties should be forfeited." (Capitul., A.D. 802, edit. Baluz., vol. i. p. 371.) 3. But in this, as well as in other regulations, the genius of Charlemagne advanced before the spirit of his age. The ideas of his contemporaries concerning regular

government were too imperfect, and their manners too fierce, to submit to this law. Private wars, with all the calamities which they occasioned, became more frequent than ever after the death of that great monarch. His successors were unable to restrain them. The Church found it necessary to interpose. The most early of these interpositions now extant is towards the end of the tenth century. In the year 990, several bishops in the south of France assembled, and published various regulations in order to set some bounds to the violence and frequency of private wars: if any person within their dioceses should venture to transgress, they ordained that he should be excluded from all Christian privileges during his life, and be denied Christian burial after his death. (Du Mont, Corps Diplomatique, tom. i. p. 41.) These, however, were only partial remedies; and therefore a council was held at Limoges, A.D. 994. The bodies of the saints, according to the custom of those ages, were carried thither; and by these sacred relics men were exhorted to lay down their arms, to extinguish their animosities, and to swear that they would not, for the future, violate the public peace by their private hostilities. (Bouquet, Recueil des Histor., vol. x. pp. 49, 147.) Several other councils issued decrees to the same effect. (Du Cange, Dissert., 343.) 4. But the authority of councils, how venerable soever in those ages, was not sufficient to abolish a custom which flattered the pride of the nobles and gratified their favourite passions. The evil grew so intolerable that it became necessary to employ supernatural means for suppressing it. A bishop of Aquitaine, A.D. 1032, pretended that an angel had appeared to him and brought him a writing from Heaven, enjoining men to cease from their hostilities and to be reconciled to each other. It was during a season of public calamity that he published this revelation. The minds of men were disposed to receive pious impressions, and willing to perform anything in order to avert the wrath of Heaven. A general peace and cessation from hostilities took place, and continued for seven years; and a resolution was formed that no man should, in times to come, attack or molest his adversaries during the seasons set apart for celebrating the great festivals of the Church, or from the evening of Thursday in each week to the morning of Monday in the week ensuing, the intervening days being considered particularly holy, our Lord's passion having happened on one of these days, and his resurrection on another. A change in the dispositions of men so sudden, and which produced a resolution so unexpected, was considered as miraculous; and the respite from hostilities which followed upon it was called *the truce of God*. (Glaber. Rodulphus, Histor., lib. v., ap. Bouquet, vol. x. p. 59.) This, from being a regulation or concert in one kingdom, became a general law in Christendom, was confirmed by the authority of several popes, and the violators were subjected to the penalty of excommunication. (Corpus Jur. Canon. Decretal., lib. i. tit. 34, c. i; Du Cange, Glossar., voc. *Treuga*.) An act of the council of Toulujes in Roussillon, A.D. 1041, containing all the stipulations required by the truce of God, is published by Dom de Vic et Dom Vaisette, Hist. de Languedoc, tom. ii., Preuves, p. 206. A cessation from hostilities during three complete days in every week allowed such a considerable space for the passions of the antagonists to cool, and for the people to enjoy a respite from the calamities of war, as well as to take measures for their own security, that if this truce of God had been exactly observed it must have gone far towards putting an end to private wars. This, however, seems not to have been the case: the nobles, disregarding the truce, prosecuted their quarrels without interruption, as formerly. "Qua nimirum tempestate, universæ provinciæ adeo devastationis continuæ importunitate inquietantur, ut ne ipsa, pro observatione divinæ pacis, professa sacramenta custodiantur." (Abbas Uspurgensis, apud Datt., de Pace Imperii Publica, p. 13, no. 35.) The violent spirit of the nobility could not be restrained by any engagements. The complaints of this were frequent; and bishops, in order to compel them to renew their vows and promises of ceasing from their private wars, were obliged to enjoin their clergy to suspend the performance of divine service and the exercise of any religious function within the parishes of such as were refractory and obstinate. (Hist. de Langued., par D. D. de Vic et Vaisette, tom. ii., Preuves, p. 118.) 5. The people, eager to obtain relief from their sufferings, called in a second time revelation to their aid. Towards the end of the twelfth century, a carpenter in Guienne gave out that Jesus Christ, together with the blessed Virgin, had appeared to him, and, having commanded him to exhort mankind to peace, had given him, as a proof of his mission, an image of the Virgin holding her Son in her arms, with this inscription, *Lamb of God, who takest away the sins of the world, give us peace*. This low fanatic addressed himself to an ignorant age, prone to credit what was marvellous. He was received as an inspired messenger of God. Many prelates and barons assembled at Puy and took an oath not only to make peace with all their enemies, but to attack such as refused to lay down their arms and to be reconciled to their enemies. They formed an association for this purpose, and assumed the honourable name of *the brotherhood of God*. (Robertus de Monte Michaele, ap. M. de Laurière, Préf., tom. i., Ordon., p. 29.) But the influence of this superstitious terror or devotion was not of long continuance. 6. The civil magistrate was obliged to exert his authority in order to check a custom which threatened a dissolution of government. Philip Augustus, as some imagine, or St. Louis, as is more probable, published an ordinance, A.D. 1245, prohibiting any person to commence hostilities against the friends and vassals of his adversary until forty days after the commission of the crime or offence which gave rise to the quarrel; declaring that if any man presumed to transgress this statute he should be considered as guilty of a breach of the public peace and be tried and punished by the judge ordinary as a traitor. (Ordon., tom. i.

p. 56.) This was called *the royal truce*, and afforded time for the violence of resentment to subside, as well as leisure for the good offices of such as were willing to compose the difference. The happy effects of this regulation seem to have been considerable, if we may judge from the solicitude of succeeding monarchs to enforce it. 7. In order to restrain the exercise of private war still farther, Philip the Fair, towards the close of the same century, A.D. 1296, published an ordinance commanding all private hostilities to cease while he was engaged in war against the enemies of the state. (Ordon., tom. i. pp. 328, 390.) This regulation, which seems to be almost essential to the existence and preservation of society, was often renewed by his successors, and, being enforced by the regal authority, proved a considerable check to the destructive contests of the nobles. Both these regulations, introduced first in France, were adopted by the other nations of Europe. 8. The evil, however, was so inveterate that it did not yield to all these remedies. No sooner was public peace established in any kingdom than the barons renewed their private hostilities. They not only struggled to maintain this pernicious right, but to secure the exercise of it without any restraint. Upon the death of Philip the Fair, the nobles of different provinces in France formed associations, and presented remonstrances to his successor demanding the repeal of several laws by which he had abridged the privileges of their order. Among these the right of private war is always mentioned as one of the most valuable; and they claim that the restraint imposed by the truce of God, the royal truce, as well as that arising from the ordinance of the year 1296, should be taken off. In some instances the two sons of Philip, who mounted the throne successively, eluded their demands; in others they were obliged to make concessions. (Ordon., tom. i. pp. 551, 557, 561, 573.) The ordinances to which I here refer are of such length that I cannot insert them; but they are extremely curious, and may be peculiarly instructive to an English reader, as they throw considerable light on that period of English history in which the attempts to circumscribe the regal prerogative were carried on, not by the people struggling for liberty, but by the nobles contending for power. It is not necessary to produce any evidence of the continuance and frequency of private wars under the successors of Philip the Fair. 9. A practice somewhat similar to the royal truce was introduced in order to strengthen and extend it. Bonds of assurance, or mutual security, were demanded from the parties at variance, by which they obliged themselves to abstain from all hostilities, either during a time mentioned in the bond, or forever, and became subject to heavy penalties if they violated this obligation. These bonds were sometimes granted voluntarily, but more frequently exacted by the authority of the civil magistrate. Upon a petition from the party who felt himself weakest, the magistrate summoned his adversary to appear in court and obliged him to give him a bond of assurance. If, after that, he committed any further hostilities, he became subject to all the penalties of treason. This restraint on private war was known in the age of St. Louis. (Etablissements, liv. i. c. 28.) It was frequent in Bretagne; and, what is very remarkable, such bonds of assurance were given mutually between vassals and the lord of whom they held. Oliver de Clisson grants one to the duke of Bretagne, his sovereign. (Morice, Mém. pour servir de Preuves à l'Hist. de Bret., tom. i. p. 846, tom. ii. p. 371.) Many examples of bonds of assurance in other provinces of France are collected by Brussel (tom. ii. p. 856) The nobles of Burgundy remonstrated against this practice, and obtained exemption from it as an encroachment on the privileges of their order. (Ordon., tom. i. p. 598.) This mode of security was first introduced into cities, and, the good effects of it having been felt there, was extended to the nobles. (See Note XVI.) 10. The calamities occasioned by private wars became at some times so intolerable that the nobles entered into voluntary associations, binding themselves to refer all matters in dispute, whether concerning civil property or points of honour, to the determination of the majority of the associates. (Morice, Mém. pour servir de Preuves à l'Hist. de Bret., tom. ii. p. 728.) 11. But, all these expedients proving ineffectual, Charles VI, A.D. 1413, issued an ordinance expressly prohibiting private wars on any pretext whatsoever, with power to the judge ordinary to compel all persons to comply with this injunction, and to punish such as should prove refractory or disobedient, by imprisoning their persons, seizing their goods, and appointing the officers of justice, *manageurs et gasteurs*, to live at free quarters on their estate. If those who were disobedient to this edict could not be personally arrested, he appointed their friends and vassals to be seized, and detained until they gave surety for keeping the peace; and he abolished all laws, customs, or privileges which might be pleaded in opposition to this ordinance. (Ordon., tom. x. p. 138.) How slow is the progress of reason and of civil order! Regulations which to us appear so equitable, obvious, and simple required the efforts of civil and ecclesiastical authority, during several centuries, to introduce and establish them. Even posterior to this period, Louis XI. was obliged to abolish private wars in Dauphiné by a particular edict, A.D. 1451. Du Cange, Dissert., p. 348.

This note would swell to a disproportionate bulk if I should attempt to inquire with the same minute attention into the progress of this pernicious custom in the other countries of Europe, In England the ideas of the Saxons concerning personal revenge, the right of private wars, and the composition due to the party offended, seem to have been much the same with those which prevailed on the Continent. The law of Ina *de vindicantibus*, in the eighth century (Lamb., p. 3); those of Edmund in the tenth century, *de homicidio* (Lamb., p. 72), and *de inimicitiis* (p. 76); and those of Edward the Confessor, in the eleventh century, *de temporibus*

et diebus pacis, or Treuga Dei (Lamb., p. 126), are perfectly similar to the *ordonnances* of the French kings their contemporaries. The laws of Edward, *de pace regis*, are still more explicit than those of the French monarchs, and, by several provisions in them, discover that a more perfect police was established in England at that period. (Lombard, p. 128, fol. vers.) Even after the Conquest, private wars, and the regulations for preventing them, were not altogether unknown, as appears from Madox, Formulare Anglicanum, No. CXLV., and from the extracts from Domesday Book published by Gale, Scriptores Hist. Britan., pp. 759, 777. The well-known clause in the form of an English indictment, which, as an aggravation of the criminal's guilt, mentions his having assaulted a person who was in the peace of God and of the king, seems to be borrowed from the Treuga or Pax Dei, and the Pax Regis, which I have explained. But after the Conquest the mention of private wars among the nobility occurs more rarely in the English history than in that of any other European nation, and no laws concerning them are to be found in the body of their statutes. Such a change in their own manners, and such a variation from those of their neighbours, is remarkable. Is it to be ascribed to the extraordinary power that William the Norman acquired by right of conquest and transmitted to his successors, which rendered the execution of justice more vigorous and decisive, and the jurisdiction of the king's court more extensive, than under the monarchs on the Continent? Or was it owing to the settlement of the Normans in England, who, having never adopted the practice of private war in their own country, abolished it in the kingdom which they conquered? It is asserted in an ordinance of John, king of France, that in all times past persons of every rank in Normandy have been prohibited to wage private war, and the practice has been deemed unlawful. (Ordon., tom. ii. p. 407.) If this fact were certain, it would go far towards explaining the peculiarity which I have mentioned. But, as there are some English acts of parliament which, according to the remark of the learned author of the *Observations on the Statutes, chiefly the more Ancient*, recite falsehoods, it may be added that this is not peculiar to the laws of that country. Notwithstanding the positive assertion contained in this public law of France, there is good reason for considering it as a statute which recites a falsehood. This, however, is not the place for discussing that point. It is an inquiry not unworthy the curiosity of an English antiquary.

In Castile the pernicious practice of private war prevailed, and was authorized by the customs and law of the kingdom. (Leges Tauri, tit. 76. cum commentario Anton. Gomezii, p. 551,) As the Castilian nobles were no less turbulent than powerful, their quarrels and hostilities involved their country in many calamities. Innumerable proofs of this occur in Mariana. In Aragon the right of private revenge was likewise authorized by law, exercised in its full extent, and accompanied with the same unhappy consequences. (Hieron. Blanca, Comment. de Rebus Arag., ap. Schotti Hispan. illustrat., vol. iii. p. 733; Lex Jacobi I., A.D. 1247; Fueros y Observancias del Reyno de Aragon, lib. ix. p. 182.) Several confederacies between the kings of Aragon and their nobles for the restoring of peace, founded on the truce of God, are still extant. (Petr. de Marca, *Marca*, sive Limes Hispanic., App., 1303, 1388, 1428.) As early as the year 1165 we find a combination of the king and court of Aragon in order to abolish the right of private war and to punish those who presumed to claim that privilege. (Anales de Aragon, por Zurita, vol. i. p. 73.) But the evil was so inveterate that, as late as A.D. 1519, Charles V. was obliged to publish a law enforcing all former regulations tending to suppress this practice. Fueros y Observancias, lib. ix. 183, b.

The Lombards, and other Northern nations who settled in Italy, introduced the same maxims concerning the right of revenge into that country, and these were followed by the same effects. As the progress of the evil was perfectly similar to what happened in France, the expedients employed to check its career, or to extirpate it finally, resembled those which I have enumerated. Murat., Antiq. Ital., vol. ii. p. 306, etc.

In Germany the disorders and calamities occasioned by the right of private war were greater and more intolerable than in any other country of Europe. The imperial authority was so much shaken and enfeebled by the violence of the civil wars excited by the contests between the popes and the emperors of the Franconian and Suabian lines that not only the nobility but the cities acquired almost independent power and scorned all subordination and obedience to the laws. The frequency of these *fai læ*, or private wars, is often mentioned in the German annals, and the fatal effects of them are most pathetically described, Datt., de Pace Imper. Pub., lib. i. cap. 5, no. 30, et passim. The Germans early adopted the Treuga Dei, which was first established in France. This, however, proved but a temporary and ineffectual remedy. The disorders multiplied so fast and grew to be so enormous that they threatened the dissolution of society, and compelled the Germans to have recourse to the only remedy of the evil, namely, an absolute prohibition of private wars. The emperor William published his edict to this purpose, A.D. 1255, an hundred and sixty years previous to the ordinance of Charles VI. in France. (Datt., lib. i. cap. 4, no. 20.) But neither he nor his successors had authority to secure the observance of it. This gave rise to a practice in Germany which conveys to us a striking idea both of the intolerable calamities occasioned by private wars, and of the feebleness of government during the twelfth and thirteenth centuries. The cities and nobles entered into alliances and associations, by which they bound themselves to maintain the public peace and to make war on such as should violate it. This was the origin of the league of the Rhine

of Suabia, and of many smaller confederacies distinguished by various names. The rise, progress, and beneficial effects of these associations are traced by Datt with great accuracy. Whatever degree of public peace or of regular administration was preserved in the empire from the beginning of the twelfth century to the close of the fifteenth, Germany owes to these leagues. During that period, political order, respect for the laws, together with the equal administration of justice, made considerable progress in Germany But the final and perpetual abolition of the right of private war was not accomplished until A.D. 1495. The imperial authority was by that time more firmly established, the ideas of men with respect to government and subordination were become more just. That barbarous and pernicious privilege of waging private war, which the nobles had so long possessed, was declared to be incompatible with the happiness and existence of society. In order to terminate any differences which might arise among the various members of the Germanic body, the Imperial Chamber was instituted with supreme jurisdiction, to judge without appeal in every question brought before it. That court has subsisted since that period, forming a very respectable tribunal of essential importance in the German constitution. Datt., lib. iii., iv., v.; Pfeffel, Abrégé de l'Histoire du Droit, etc., p. 556.

NOTE XXII.—Sect. I. p. 28.

It would be tedious and of little use to enumerate the various modes of appealing to the justice of God which superstition introduced during the ages of ignorance. I shall mention only one, because we have an account of it in a placitum, or trial, in the presence of Charlemagne, from which we may learn the imperfect manner in which justice was administered even during his reign. In the year 775 a contest arose between the bishop of Paris and the abbot of St. Denys concerning the property of a small abbey. Each of them exhibited deeds and records in order to prove the right to be in them. Instead of trying the authenticity or considering the import of these, the point was referred to the *judicium crucis*. Each produced a person who, during the celebration of mass, stood before the cross with his arms expanded; and he whose representative first became weary and altered his posture lost the cause. The person employed by the bishop on this occasion had less strength or less spirit than his adversary, and the question was decided in favour of the abbot. (Mabillon, de Re Diplomat., lib. vi. p. 498.) If a prince so enlightened as Charlemagne countenanced such an absurd mode of decision, it is no wonder that other monarchs should tolerate it so long. M. de Montesquieu has treated of the trial by judicial combat at considerable length. The two talents which distinguish that illustrious author, industry in tracing all the circumstances of ancient and obscure institutions, and sagacity in penetrating into the causes and principles which contributed to establish them, are equally conspicuous in his observations on this subject. To these I refer the reader, as they contain most of the principles by which I have endeavoured to explain this practice. (De l'Esprit des Loix, liv. xxviii.) It seems to be probable, from the remarks of M. de Montesquieu, as well as from the facts produced by Muratori (tom. iii. Dissert. XXXVIII.), that appeals to the justice of God by the experiments with fire and water, etc., were frequent among the people who settled in the different provinces of the Roman empire, before they had recourse to the judicial combat; and yet the judicial combat seems to have been the most ancient mode of terminating any controversy among the barbarous nations in their original settlements. This is evident from Velleius Paterculus (lib. ii. c. 118), who informs us that all questions which were decided among the Romans by legal trial were terminated among the Germans by arms. The same thing appears in the ancient laws and customs of the Swedes, quoted by Jo. O. Stiernhöök de Jure Sueonum et Gothorum vetusto, 4to, Holmiæ, 1682, lib. i. c. 7. It is probable that when the various tribes which invaded the empire were converted to Christianity their ancient custom of allowing judicial combats appeared so glaringly repugnant to the precepts of religion that for some time it was abolished, and by degrees several circumstances which I have mentioned led them to resume it.

It seems likewise to be probable, from a law quoted by Stiernhöök in the treatise which I have mentioned, that the judicial combat was originally permitted in order to determine points respecting the personal character or reputation of individuals, and was afterwards extended not only to criminal cases, but to questions concerning property. The words of the law are, "If any man shall say to another these reproachful words, 'You are not a man equal to other men,' or, 'You have not the heart of a man,' and the other shall reply, 'I am a man as good as you,' let them meet on the highway. If he who first gave offence appear, and the person offended absent himself, let the latter be deemed a worse man even than he was called; let him not be admitted to give evidence in judgment either for man or woman, and let him not have the privilege of making a testament. If he who gave the offence be absent, and only the person offended appear, let him call upon the other thrice with a loud voice, and make a mark upon the earth, and then let him who absented himself be deemed infamous, because he uttered words which he durst not support. If both shall appear properly armed, and the person offended shall fall in the combat, let a half compensation be paid for his death. But if the person who gave the offence shall fall, let it be imputed to his own rashness. The petulance of his tongue hath been fatal to him. Let him lie in the field without any compensation being

demanded for his death." (Lex Uplandica, ap. Stiern., p. 76.) Martial people were extremely delicate with respect to everything that affected their reputation as soldiers. By the law of the Salians, if any man called another a *hare*, or accused him of having left his shield in the field of battle, he was ordained to pay a large fine. (Leg. Sal., tit. xxxii. §§ 4, 6.) By the law of the Lombards, if any one called another *arga*, *i.e.*, a good-for-nothing fellow, he might immediately challenge him to combat. (Leg. Longob., lib. i. tit. v. § 1.) By the law of the Salians, if one called another *cenatus*, a term of reproach equivalent to *arga*, he was bound to pay a very high fine. (Tit. xxxii. § 1.) Paulus Diaconus relates the violent impression which this reproachful expression made upon one of his countrymen, and the fatal effects with which it was attended. (De Gesis Longobard., liv. vi. c. 34.) Thus the ideas concerning the point of honour, which we are apt to consider as a modern refinement, as well as the practice of duelling, to which it gave rise, are derived from the notions of our ancestors while in a state of society very little improved.

As M. de Montesquieu's view of this subject did not lead him to consider every circumstance relative to judicial combats, I shall mention some particular facts necessary for the illustration of what I have said with respect to them. A remarkable instance occurs of the decision of an abstract point of law by combat. A question arose in the tenth century concerning the *right of representation*, which was not then fixed, though now universally established in every part of Europe. "It was a matter of doubt and dispute," saith the historian, "whether the sons of a son ought to be reckoned among the children of the family, and succeed equally with their uncles, if their father happen to die while their grandfather was alive. An assembly was called to deliberate on this point, and it was the general opinion that it ought to be remitted to the examination and decision of judges. But the emperor, following a better course, and desirous of dealing honourably with his people and nobles, appointed the matter to be decided by battle between two champions. He who appeared in behalf of the right of children to represent their deceased father was victorious; and it was established, by a perpetual decree, that they should hereafter share in the inheritance together with their uncles." (Wittikindus Corbiensis, lib. Annal., ap. M. de Laurière, Préf. Ordon., vol. i. p. xxxiii.) If we can suppose the caprice of folly to lead men to any action more extravagant than this of settling a point in law by combat, it must be that of referring the truth or falsehood of a religious opinion to be decided in the same manner. To the disgrace of human reason, it has been capable even of this extravagance. A question was agitated in Spain in the eleventh century, whether the Musarabic liturgy and ritual which had been used in the churches of Spain, or that approved of by the see of Rome, which differed in many particulars from the other, contained the form of worship most acceptable to the Deity. The Spaniards contended zealously for the ritual of their ancestors. The popes urged them to receive that to which they had given their infallible sanction. A violent contest arose. The nobles proposed to decide the controversy by the sword. The king approved of this method of decision. Two knights in complete armour entered the lists. John Ruys de Matanca, the champion of the Musarabic liturgy, was victorious. But the queen and archbishop of Toledo, who favoured the other form, insisted on having the matter submitted to another trial, and had interest enough to prevail in a request, inconsistent with the laws of combat, which being considered as an appeal to God, the decision ought to have been acquiesced in as final. A great fire was kindled. A copy of each liturgy was cast into the flames. It was agreed that the book which stood this proof and remained untouched should be received in all the churches of Spain. The Musarabic liturgy triumphed likewise in this trial, and, if we may believe Roderigo de Toledo, remained unhurt by the fire when the other was reduced to ashes. The queen and archbishop had power or art sufficient to elude this decision also, and the use of the Musarabic form of devotion was permitted only in certain churches,—a determination no less extraordinary than the whole transaction. (Roder. de Toledo, quoted by P. Orleans, Hist. des Révolutions d'Espagne, tom. i. p. 417; Mariana, lib. i. c. 18, vol. i. p. 378.) A remarkable proof of the general use of trial by combat, and of the predilection for that mode of decision, occurs in the laws of the Lombards. It was a custom in the Middle Ages that any person might signify publicly the law to which he chose to be subjected; and by the prescriptions of that law he was obliged to regulate his transactions, without being bound to comply with any practice authorized by other codes of law. Persons who had subjected themselves to the Roman law, and adhered to the ancient jurisprudence, as far as any knowledge of it was retained in those ages of ignorance, were exempted from paying any regard to the forms of proceedings established by the laws of the Burgundians, Lombards, and other barbarous people. But the emperor Otho, in direct contradiction to this received maxim, ordained "That all persons, under whatever law they lived, even although it were the Roman law, should be bound to conform to the edicts concerning the trial by combat." (Leg. Longob., lib. ii. tit. 55, § 38.) While the trial by judicial combat subsisted, proof by charters, contracts, or other deeds became ineffectual; and even this species of written evidence, calculated to render the proceedings of courts certain and decisive, was eluded. When a charter or other instrument was produced by one of the parties, his opponent might challenge it, affirm that it was false and forged, and offer to prove this by combat. (Leg. Longob., ibid., § 34.) It is true that, among the reasons enumerated by Beaumanoir on account of which judges might refuse to permit a trial by combat, one is, "If the point in contest can be clearly proved or ascertained by other evidence." (Coust. de Beauv., ch. 63, p. 323.)

But that regulation removed the evil only a single step. For the party who suspected that a witness was about to depose in a manner unfavourable to his cause might accuse him of being subborned, give him the lie, and challenge him to combat: if the witness was vanquished in battle, no other evidence could be admitted, and the party by whom he was summoned to appear lost his cause. (Leg. Baivar., tit. 16, § 2; Leg. Burgund., tit. 45; Beauman, ch. 61, p. 315.) The reason given for obliging a witness to accept of a defiance, and to defend himself by combat, is remarkable, and contains the same idea which is still the foundation of what is called the point of honour: "for it is just that if any one affirms that he perfectly knows the truth of anything, and offers to give oath upon it, he should not hesitate to maintain the veracity of his affirmation in combat." Leg. Burgund., tit. 45.

That the trial by judicial combat was established in every country of Europe is a fact well known, and requires no proof. That this mode of decision was frequent appears not only from the codes of ancient laws which established it, but from the earliest writers concerning the practice of law in the different nations of Europe. They treat of this custom at great length; they enumerate the regulations concerning it with minute accuracy and explain them with much solicitude. It made a capital and extensive article in jurisprudence. There is not any one subject in their system of law which Beaumanoir, Defontaines, or the compilers of the Assises de Jérusalem seem to have considered as of greater importance; and none upon which they have bestowed so much attention. The same observation will hold with respect to the early authors of other nations. It appears from Madox that trials of this kind were so frequent in England that fines paid on these occasions made no inconsiderable branch of the king's revenue. (Hist. of the Excheq., vol. i. p. 349.) A very curious account of a judicial combat between Messire Robert de Beaumanoir and Messire Pierre Tournemine, in presence of the duke of Bretagne, A.D. 1385, is published by Morice (Mém. pour servir de Preuves à l'Hist. de Bretagne, tom. ii. p. 498). All the formalities observed in such extraordinary proceedings are there described more minutely than in any ancient monument which I have had an opportunity of considering. Tournemine was accused by Beaumanoir of having murdered his brother. The former was vanquished, but was saved from being hanged upon the spot by the generous intercession of his antagonist. A good account of the origin of the laws concerning judicial combat is published in the History of Pavia, by Bernardo Sacci, lib. ix. c. 8, in Græv. Thes. Antiquit. Ital., vol. iii. p. 743.

This mode of trial was so acceptable that ecclesiastics, notwithstanding the prohibitions of the Church, were constrained not only to connive at the practice, but to authorize it. A remarkable instance of this is produced by Pasquier, Recherches, lib. iv. ch. i. p. 350. The abbot Wittikindus, whose words I have produced in this note, considered the determination of a point in law by combat as the best and most honourable mode of decision. In the year 978 a judicial combat was fought in the presence of the emperor. The archbishop Aldebert advised him to terminate a contest which had arisen between two noblemen of his court by this mode of decision. The vanquished combatant, though a person of high rank, was beheaded on the spot. (Chronic. Ditmari, Episc. Mersb., apud Bouquet, Recueil des Hist., tom. x. p. 121.) Questions concerning the property of churches and monasteries were decided by combat. In the year 961 a controversy concerning the church of St. Médard, whether it belonged to the abbey of Beaulieu or not, was terminated by judicial combat. (Bouquet, Recueil des Hist., tom. ix. p. 729; ibid., p. 612, etc.) The emperor Henry I. declares that this law, authorizing the practice of judicial combats, was enacted with consent and applause of many faithful bishops. (Ibid., p. 231.) So remarkably did the martial ideas of those ages prevail over the genius and maxims of the canon law, which in other instances was in the highest credit and authority with ecclesiastics. A judicial combat was appointed in Spain, by Charles V., A.D. 1522. The combatants fought in the emperor's presence, and the battle was conducted with all the rites prescribed by the ancient laws of chivalry. The whole transaction is described at great length by Pontus Heuterus, Rer. Austriac., lib. viii. c. 17, p. 205.

The last instance which occurs in the history of France of a judicial combat authorized by the magistrate was the famous one between M. Jarnac and M. de la Chataigneraie, A.D. 1547. A trial by combat was appointed in England, A.D. 1571, under the inspection of the judges in the Court of Common Pleas; and though it was not carried to the same extremity with the former, Queen Elizabeth having interposed her authority and enjoined the parties to compound the matter, yet, in order to preserve their honour, the lists were marked out, and all the forms previous to the combat were observed with much ceremony. (Spelm., Gloss., voc. *Campus*, p. 103.) In the year 1631 a judicial combat was appointed between Donald Lord Rea and David Ramsay, Esq., by the authority of the lord high constable and earl marshal of England; but that quarrel likewise terminated without bloodshed, being accommodated by Charles I. Another instance occurs seven years later. Rushworth, in Observations on the Statutes, etc., p. 266.

Note XXIII.—Sect. I. p. 31.

The text contains the great outlines which mark the course of private and public jurisdiction in the several nations of Europe. I shall here follow more minutely the various steps of this progress, as the matter is curious and important enough to merit this attention. The payment of

a fine by way of satisfaction to the person or family injured was the first device of a rude people in order to check the career of private resentment, and to extinguish those *faidæ*, or deadly feuds, which were prosecuted among them with the utmost violence. This custom may be traced back to the ancient Germans (Tacit., de Morib. Germ., c. 21), and prevailed among other uncivilized nations. Many examples of this are collected by the ingenious and learned author of Historical Law Tracts (vol. i. p. 41). These fines were ascertained and levied in three different manners. At first they were settled by voluntary agreement between the parties at variance. When their rage began to subside, and they felt the bad effects of their continuing in enmity, they came to terms of concord, and the satisfaction made was called a *composition*, implying that it was fixed by mutual consent. (De l'Esprit des Loix, liv. xxx. c. 19.) It is apparent from some of the more ancient codes of laws that at the time when these were compiled matters still remained in that simple state. In certain cases the person who had committed an offence was left exposed to the resentment of those whom he had injured, until he should recover their favour, "quoquo modo potuerit" (Leg. Frision., tit. 11, § 1.) The next mode of levying these fines was by the sentence of arbiters. An arbiter is called in the Regiam Majestatem *amicabilis compositor* (lib. xi. c. 4, § 10.) He could estimate the degree of offence with more impartiality than the parties interested, and determine with greater equity what satisfaction ought to be demanded. It is difficult to bring an authentic proof of a custom previous to the records preserved in any nation of Europe. But one of the Formulæ Andegavenses compiled in the sixth century seems to allude to a transaction carried on, not by the authority of a judge, but by the mediation of arbiters chosen by mutual consent. (Bouquet, Recueil des Histor., tom. iv. p. 566.) But, as an arbiter wanted authority to enforce his decisions, judges were appointed with compulsive power to oblige both parties to acquiesce in their decisions. Previous to this last step, the expedient of paying compositions was an imperfect remedy against the pernicious effects of private resentment. As soon as this important change was introduced, the magistrate, putting himself in place of the person injured, ascertained the composition with which he ought to rest satisfied. Every possible injury that could occur in the intercourse of civil society was considered, and estimated, and the compositions due to the person aggrieved were fixed with such minute attention as discovers, in most cases, amazing discernment and delicacy, in some instances unaccountable caprice. Besides the composition payable to the private party, a certain sum, called a *fredum*, was paid to the king or state, as Tacitus expresses it, or to the *fiscus*, in the language of the barbarous laws. Some authors, blending the refined ideas of modern policy with their reasonings concerning ancient transactions, have imagined that the *fredum* was a compensation due to the community on account of the violation of the public peace. But it is manifestly nothing more than the price paid to the magistrate for the protection which he afforded against the violence of resentment. The enacting of this was a considerable step towards improvement in criminal jurisprudence. In some of the more ancient codes of laws the *freda* are altogether omitted, or so seldom mentioned that it is evident they were but little known. In the latter codes the *fredum* is as precisely specified as the composition. In common cases it was equal to the third part of the composition. (Capitul., vol. i. p. 52.) In some extraordinary cases, where it was more difficult to protect the person who had committed violence, the *fredum* was augmented. (Capitul., vol. i. p. 515.) These *freda* made a considerable branch in the revenues of the barons; and in whatever district territorial jurisdiction was granted, the royal judges were prohibited from levying any *freda*. In explaining the nature of the *fredum*, I have followed in a great measure the opinion of M. de Montesquieu, though I know that several learned antiquaries have taken the word in a different sense. (De l'Esprit des Loix, liv. xxx. c. 20, etc.) The great object of judges was to compel the one party to give, and the other to accept, the satisfaction prescribed. They multiplied regulations to this purpose, and enforced them by grievous penalties. (Leg. Longob., lib. i. tit. 9, § 34; Ibid., tit. 37, §§ 1, 2; Capitul., vol. i. p. 371, § 22.) The person who received a composition was obliged to cease from all further hostility, and to confirm his reconciliation with the adverse party by an oath. (Leg. Longob., lib. i. tit. 9, § 8.) As an additional and more permanent evidence of reconciliation, he was required to grant a bond of security to the person from whom he received a composition, absolving him from all further prosecution. Marculfus, and the other collectors of ancient writs, have preserved several different forms of such bonds. (Marc., lib. xi. § 18; Append., § 23; Form. Sirmondicæ, § 39.) The *letters of Slanes*, known in the law of Scotland, are perfectly similar to these bonds of security. By the letters of Slanes, the heirs and relations of a person who had been murdered bound themselves, in consideration of an *assythment*, or composition paid to them, to forgive, "pass over, and for ever forget, and in oblivion inter, all rancour, malice, revenge, prejudice, grudge, and resentment that they have or may conceive against the aggressor or his posterity, for the crime which he had committed, and discharge him of all action, civil or criminal, against him or his estate, for now and ever." (System of Stiles, by Dallas of St. Martin's, p. 862.) In the ancient form of letters of Slanes, the private party not only forgives and forgets, but pardons and grants remission of the crime. This practice Dallas, reasoning according to the principles of his own age, considers as an encroachment on the rights of sovereignty, as none, says he, could pardon a criminal but the king. (Ibid.) But in early and rude times the prosecution, the punishment, and the pardon of criminals were all deeds of the private person who was injured. Madox has published two

writs, one in the reign of Edward I., the other in the reign of Edward III., by which private persons grant a release or pardon of all trespasses, felonies, robberies, and murders committed. (Formul. Anglican., no. 702, 705.) In the last of these instruments, some regard seems to be paid to the rights of the sovereign, for the pardon is granted *en quant que en nous est*. Even after the authority of the magistrate was interposed in punishing crimes, the punishment of criminals is long considered chiefly as a gratification to the resentment of the persons who have been injured. In Persia a murderer is still delivered to the relations of the person whom he has slain, who put him to death with their own hands. If they refuse to accept of a sum of money as a compensation, the sovereign, absolute as he is, cannot pardon the murderer. (Voyages de Chardin, iii. 417, edit. 1735, 4to; Voyages de Tavernier, liv. v. c. 5, 10.) Among the Arabians, though one of the first polished people in the East, the same custom still subsists. (Description de l'Arabie, par M. Niebuhr, p. 24.) By a law in the kingdom of Aragon as late as the year 1564, the punishment of one condemned to death cannot be mitigated but by consent of the parties who have been injured. Fueros y Observancias del Reyno de Aragon, p. 204, 6.

If, after all the engagements to cease from enmity which I have mentioned, any person renewed hostilities, and was guilty of any violence, either towards the person from whom he had received a composition, or towards his relations and heirs, this was deemed a most heinous crime, and punished with extraordinary rigour. It was an act of direct rebellion against the authority of the magistrate, and was repressed by the interposition of all his power. (Leg. Longob., lib. i. tit. 9, § 8, p. 34; Capit., vol. i. p. 371, § 22.) Thus the avenging of injuries was taken out of private hands, a legal composition was established, and peace and amity were restored under the inspection and by the authority of a judge. It is evident that at the time when the barbarians settled in the provinces of the Roman empire they had fixed judges established among them with compulsive authority. Persons vested with this character are mentioned by the earliest historians. (Du Cange, voc. *Judices*.) The right of territorial jurisdiction was not altogether an usurpation of the feudal barons, or an invasion of the prerogative of the sovereign. There is good reason to believe that the powerful leaders who seized different districts of the countries which they conquered, and kept possession of them as *allodial* property, assumed from the beginning the right of jurisdiction, and exercised it with their own territories. This jurisdiction was supreme, and extended to all causes. The clearest proofs of this are produced by M. Bouquet, Le Droit publique de France éclairci, etc., tom. i. p. 206, etc. The privilege of judging his own vassals appears to have been originally a right inherent in every baron who held a fief. As far back as the archives of nations can conduct us with any certainty, we find the jurisdiction and fief united. One of the earliest charters to a layman which I have met with is that of Ludovicus Pius, A.D. 814; and it contains the right of territorial jurisdiction in the most express and extensive terms. (Capitul., vol. ii. p. 1405.) There are many charters to churches and monasteries of a more early date, containing grants of similar jurisdiction, and prohibiting any royal judge to enter the territories of those churches or monasteries or to perform any act of judicial authority there. (Bouquet, Recueil des Hist., tom. iv. pp. 628, 631, 633, tom. v. pp. 703, 710, 752, 762.) Muratori has published many very ancient charters containing the same immunities. (Antiq. Ital., Dissert. LXX.) In most of these deeds the royal judge is prohibited from exacting the *freda* due to the possessor of territorial jurisdiction, which shows that they constituted a valuable part of the revenue of each superior lord at that juncture. The expense of obtaining a sentence in a court of justice during the Middle Ages was so considerable that this circumstance alone was sufficient to render men unwilling to decide any contest in judicial form. It appears from a charter in the thirteenth century that the baron who had the right of justice received the fifth part of the value of every subject the property of which was tried and determined in his court. If after the commencement of a lawsuit the parties terminated the contest in an amicable manner, or by arbitration, they were nevertheless bound to pay the fifth part of the subject contested to the court before which the suit had been brought. (Hist. de Dauphiné, Genève, 1722, tom. i. p. 22.) Similar to this is a regulation in the charter of liberty granted to the town of Friburg, A.D. 1120. If two of the citizens shall quarrel, and if one of them shall complain to the superior lord or to his judge, and after commencing the suit shall be privately reconciled to his adversary, the judge, if he does not approve of this reconciliation, may compel him to go on with his lawsuit, and all who were present at the reconciliation shall forfeit the favour of the superior lord. Historia Zaringo-Badensis, Auctor. Jo. Dan. Schoepflinus, Carolsr., 1765, 4to, vol. v. p. 55.

What was the extent of that jurisdiction which those who held fiefs possessed originally we cannot now determine with certainty. It is evident that during the disorders which prevailed in every kingdom of Europe the great vassals took advantage of the feebleness of their monarchs and enlarged their jurisdictions to the utmost. As early as the tenth century the more powerful barons had usurped the right of deciding all causes, whether civil or criminal. They had acquired the *high justice* as well as the *low*. (Establ. de St. Louis, liv. i. c. 24, 25.) Their sentences were final, and there lay no appeal from them to any superior court. Several striking instances of this are collected by Brussel (Traité des Fiefs, liv. iii. c. 11, 12, 13.) Not satisfied with this, the more potent barons got their territories created into *regalities*, with almost every royal prerogative and jurisdiction. Instances of these were frequent in France. (Bruss., ibid.) In Scotland, where the power of the feudal nobles became exorbitant, they were

very numerous. (Historical Law Tracts, vol. i. tract vi.) Even in England, though the authority of the Norman kings circumscribed the jurisdiction of the barons within more narrow limits than in any other feudal kingdom, several counties palatine were erected, into which the king's judges could not enter, and no writ could come in the king's name until it received the seal of the county palatine. (Spelman, Gloss., voc. *Comites Palatini;* Blackstone's Commentaries on the Laws of England, vol. iii. p. 78.) These lords of regalities had a right to claim or rescue their vassals from the king's judges, if they assumed any jurisdiction over them. (Brussel, ubi supra.) In the law of Scotland, this privilege was termed the right of *repleiging;* and the frequency of it not only interrupted the course of justice, but gave rise to great disorders in the exercise of it. (Hist. Law Tracts, ibid.) The jurisdiction of the counties palatine seems to have been productive of like inconveniences in England.

The remedies provided by princes against the bad effects of these usurpations of the nobles, or inconsiderate grants of the crown, were various and gradually applied. Under Charlemagne and his immediate descendants, the regal prerogative still retained great vigour, and the *duces, comites,* and *missi dominici,* the former of whom were ordinary and fixed judges, the latter extraordinary and itinerant judges, in the different provinces of their extensive dominions, exercised a jurisdiction co-ordinate with the barons in some cases, and superior to them in others. (Du Cange, voc. *Lux, Comites, et Missi;* Murat., Antiq., Dissert. VIII. et IX.) But under the feeble race of monarchs who succeeded them, the authority of the royal judges declined, and the barons acquired that unlimited jurisdiction which has been described. Louis VI. of France attempted to revive the function of the *missi dominici,* under the title of *juges des exempts,* but the barons were become too powerful to bear such an encroachment on their jurisdiction, and he was obliged to desist from employing them. (Hainault, Abrégé Chron., tom. ii. p. 73.) His successor (as has been observed) had recourse to expedients less alarming. The appeal *de défaute de droit,* or on account of the refusal of justice, was the first which was attended with any considerable effect. According to the maxims of feudal law, if a baron had not as many vassals as enabled him to try by their peers the parties who offered to plead in his court, or if he delayed or refused to proceed in the trial, the cause might be carried, by appeal, to the court of the superior lord of whom the baron held, and tried there. (De l'Esprit des Loix, liv. xxviii. c. 28; Du Cange, voc. *Defectus Justitiæ.*) The number of peers or assessors in the courts of barons was frequently very considerable. It appears from a criminal trial in the court of the Viscount de Lautrec, A.D. 1293, that upwards of two hundred persons were present, and assisted in the trial, and voted in passing judgment. (Hist. de Langued., par D. D. de Vic et Vaisette, tom. iv., Preuves, p. 114.) But, as the right of jurisdiction had been usurped by many inconsiderable barons, they were often unable to hold courts. This gave frequent occasion to such appeals, and rendered the practice familiar. By degrees, such appeals began to be made from the courts of the more powerful barons; and it is evident from a decision recorded by Brussel that the royal judges were willing to give countenance to any pretext for them. (Traité des Fiefs, tom. i. pp. 235, 261.) This species of appeal had less effect in abridging the jurisdiction of the nobles than the appeal on account of the injustice of the sentence. When the feudal monarchs were powerful and their judges possessed extensive authority, such appeals seem to have been frequent. (Capitul., vol. i. pp. 175, 180.) And they were made in a manner suitable to the rudeness of a simple age. The persons aggrieved resorted to the palace of their sovereign and with outcries and loud noise called to him for redress. (Capitul., lib. iii. c. 59; Chronic. Lawterbergiense, ap. Mencken., Script. German., vol. ii. p. 284, b.) In the kingdom of Aragon, the appeals to the *justiza,* or supreme judge, were taken in such a form as supposed the appellant to be in immediate danger of death or of some violent outrage: he rushed into the presence of the judge, crying with a loud voice, *Avi, Avi, Fuerza, Fuerza,* thus imploring (as it were) the instant interposition of that supreme judge in order to save him. (Hier. Blanca, Comment. de Rebus Aragon., ap. Script. Hispanic., Pistorii, vol. iii. p. 753.) The abolition of the trial by combat facilitated the revival of appeals of this kind. The effects of the subordination which appeals established, in introducing attention, equity, and consistency of decision into courts of judicature, were soon conspicuous; and almost all causes of importance were carried to be finally determined in the king's courts. (Brussel, tom. i. p. 252.) Various circumstances which contributed towards the introduction and frequency of such appeals are enumerated De l'Esprit des Loix, liv. xxviii. c. 27. Nothing, however, was of such effect as the attention which monarchs gave to the constitution and dignity of their courts of justice. It was the ancient custom for the feudal monarchs to preside themselves in their courts, and to administer justice in person. (Marculf., lib. i. § 25; Murat., Dissert. XXXI.) Charlemagne, whilst he was dressing, used to call parties into his presence, and, having heard and considered the subject of litigation, gave judgment concerning it. (Eginhartus, Vita Caroli Magni, cited by Madox, Hist. of Exchequer, vol. i. p. 91.) This trial and decision of causes by the sovereigns themselves could not fail of rendering their courts respectable. St. Louis, who encouraged to the utmost the practice of appeals, revived their ancient custom, and administered justice in person with all the ancient simplicity. "I have often seen the saint," says Joinville, "sit under the shade of an oak in the wood of Vincennes, when all who had any complaint freely approached him. At other times he gave orders to spread a carpet in a garden, and, seating himself upon it, heard the causes that were brought before him." (Hist. de St. Louis, p. 13, edit. 1761.) Princes of

inferior rank, who possessed the right of justice, sometimes dispensed it in person, and presided in their tribunals. Two instances of this occur with respect to the dauphins of Vienne. (Hist. de Dauphiné, tom. i. p. 18, tom. ii. p. 257.) But as kings and princes could not decide every cause in person, nor bring them all to be determined in the same court, they appointed *baillis*, with a right of jurisdiction, in different districts of their kingdom. These possessed powers somewhat similar to those of the ancient *comites*. It was towards the end of the twelfth century and beginning of the thirteenth that this office was first instituted in France. (Brussel, liv. i. c. 35.) When the king had a court established in different quarters of his dominions, this invited his subjects to have recourse to it. It was the private interest of the *baillis*, as well as an object of public policy, to extend their jurisdiction. They took advantage of every defect in the rights of the barons, and of every error in their proceedings, to remove causes out of their courts and to bring them under their own cognizance. There was a distinction in the feudal law, and an extremely ancient one, between the high justice and the low. (Capitul. 3, A.D. 812, § 4, A.D. 815, § 3; Establ. de St. Louis, liv. i. c. 40.) Many barons possessed the latter jurisdiction who had no title to the former. The former included the right of trying crimes of every kind, even the highest; the latter was confined to petty trespasses. This furnished endless pretexts for obstructing, restraining, and reviewing the proceedings in the baron courts. (Ordon., ii. 457, § 25; 458, § 29.) A regulation of greater importance succeeded the institution of *baillis*. The king's supreme court or parliament was rendered fixed as to the place and constant as to the time of its meetings. In France, as well as in the other feudal kingdoms, the king's court of justice was originally ambulatory, followed the person of the monarch, and was held only during some of the great festivals. Philip Augustus, A.D. 1605, rendered it stationary at Paris, and continued its terms during the greater part of the year. (Pasquier, Recherches, liv. ii. c. 2 et 3, etc.; Ordon., tom. i. p. 366, § 62.) He and his successors vested extensive powers in that court; they granted the members of it several privileges and distinctions which it would be tedious to enumerate. (Pasquier, ibid.; Velly, Hist. de France, tom. vii. p. 307.) Persons eminent for integrity and skill in law were appointed judges there. (Ibid.) By degrees the final decision of all causes of importance was brought into the parliament of Paris, and the other parliaments which administered justice in the king's name, in different provinces of the kingdom. This jurisdiction, however, the parliament of Paris acquired very slowly, and the great vassals of the crown made violent efforts in order to obstruct the attempts of that parliament to extend its authority. Towards the close of the thirteenth century, Philip the Fair was obliged to prohibit his parliament from taking cognizance of certain appeals brought into it from the courts of the count of Bretagne, and to recognize and respect his right of supreme and final jurisdiction. (Mémoires pour servir de Preuves à l'Histoire de Bretagne, par Morice, tom. i. pp. 1037, 1074.) Charles VI., at the end of the following century, was obliged to confirm the rights of the dukes of Bretagne in still more ample form. (Ibid., tom. ii. pp. 580, 581.) So violent was the opposition of the barons to this right of appeal, which they considered as fatal to their privileges and power, that the authors of the *Encyclopédie* have mentioned several instances in which barons put to death or mutilated such persons as ventured to appeal from the sentences pronounced in their courts to the parliament of Paris (tom. xii., art. *Parlement*, p. 25).

The progress of jurisdiction in the other feudal kingdoms was in a great measure similar to that which we have traced in France. In England the territorial jurisdiction of the barons was both ancient and extensive. (Leg. Edw. Conf., no. 5 and 9.) After the Norman conquest it became more strictly feudal; and it is evident from facts recorded in the English history, as well as from the institution of counties palatine, which I have already mentioned, that the usurpations of the nobles in England were not less bold or extensive than those of their contemporaries on the continent. The same expedients were employed to circumscribe or abolish those dangerous jurisdictions. William the Conqueror established a constant court in the hall of his palace; from which the four courts now intrusted with the administration of justice in England took their rise. Henry II. divided his kingdom into six circuits, and sent itinerant judges to hold their courts in them at stated seasons. (Blackstone's Commentaries on the Laws of England, vol. iii. p. 57.) Justices of the peace were appointed in every county by subsequent monarchs, to whose jurisdiction the people gradually had recourse in many civil causes. The privileges of the counties palatine were gradually limited; with respect to some points they were abolished, and the administration of justice was brought into the king's courts, or before judges of his appointment. The several steps taken for this purpose are enumerated in Dalrymple's History of Feudal Property, chap. vii.

In Scotland the usurpations of the nobility were more exorbitant than in any other feudal kingdom. The progress of their encroachments, and the methods taken by the crown to limit or abolish their territorial and independent jurisdictions, both which I had occasion to consider and explain in a former work, differed very little from those of which I have now given the detail. History of Scotland, vol. i. p. 37.

I should perplex myself and my readers in the labyrinth of German jurisprudence if I were to attempt to delineate the progress of jurisdiction in the empire with a minute accuracy. It is sufficient to observe that the authority which the aulic council and imperial chamber now possess took its rise from the same desire of redressing the abuses of territorial jurisdiction, and

was acquired in the same manner that the royal courts attained influence in other countries of Europe. All the important facts with respect to both these particulars may be found in Phil. Datt. de Pace Publica Imperii, lib. iv. The capital articles are pointed out in Pfeffel, Abrégé de l'Histoire du Droit publique d'Allemagne, pp. 556, 581; and in Traité du Droit publique de l'Empire, par M. le Coq de Villeray. The two last treatises are of great authority, having been composed under the eye of M. Schoepflin of Strasburg, one of the ablest public lawyers in Germany.

Note XXIV.—Sect. I. p. 71.

It is not easy to fix with precision the period at which ecclesiastics first began to claim exemption from the civil jurisdiction. It is certain that during the early and purest ages of the Church they pretended to no such immunity. The authority of the civil magistrate extended to all persons and to all causes. This fact has not only been clearly established by Protestant authors, but is admitted by many Roman Catholics of eminence, and particularly by the writers in defence of the liberties of the Gallican Church. There are several original papers published by Muratori, which show that in the ninth and tenth centuries causes of the greatest importance relating to ecclesiastics were still determined by civil judges. (Antiq. Ital., vol. v. Dissert. LXX.) Proofs of this are produced likewise by M. Houard (Anciennes Lois des François, etc., vol. i. p. 209). Ecclesiastics did not shake off all at once their subjection to civil courts. This privilege, like their other usurpations, was acquired slowly, and step by step. This exemption seems at first to have been merely an act of complaisance, flowing from veneration for their character. Thus, from a charter of Charlemagne in favour of the church of Mans, A.D. 796, to which M. l'Abbé de Foy refers in his Notice de Diplomes, tom. i. p. 201, that monarch directs his judges, if any difference should arise between the administrators of the revenues of that church and any person whatever, not to summon the administrators to appear in "mallo publico," but first of all to meet with them, and to endeavour to accommodate the difference in an amicable manner. This indulgence was in process of time improved into a legal exemption; which was founded on the same superstitious respect of the laity for the clerical character and function. A remarkable instance of this occurs in a charter of Frederic Barbarossa, A.D. 1172, to the monastery of Altenburg. He grants them "judicium non tantum sanguinolentis piagæ, sed vitæ et mortis;" he prohibits any of the royal judges from disturbing their jurisdiction; and the reason which he gives for this ample concession is, "nam quorum, ex Dei gratia, ratione divini ministerii onus leve est, et jugum suave; nos penitus nolumus illos oppressionis contumelia, vel manu laica, fatigari." Mencken, Script. Rer. Germ., vol. iii. p. 1067.

It is not necessary for illustrating what is contained in the text, that I should describe the manner in which the code of the canon law was compiled, or show that the doctrines in it most favourable to the power of the clergy are founded on ignorance or supported by fraud and forgery. The reader will find a full account of these in Gerard. van Mastricht, Historia Juris Ecclesiastici, and in Science du Gouvernement, par M. Réal, tom. vii. c. 1 et 3, §§ 2, 3, etc. The history of the progress and extent of ecclesiastical jurisdiction, with an account of the arts which the clergy employed in order to draw causes of every kind into the spiritual courts, is no less curious, and would throw great light upon many of the customs and institutions of the Dark Ages; but it is likewise foreign from the present subject. Du Cange, in his Glossary, voc. *Curia Christianitatis*, has collected most of the causes with respect to which the clergy arrogated an exclusive jurisdiction, and refers to the authors, or original papers, which confirm his observations. Giannone, in his Civil History of Naples, lib. xix. § 3, has ranged these under proper heads, and scrutinizes the pretensions of the Church with his usual boldness and discernment. M. Fleury observes that the clergy multiplied the pretexts for extending the authority of the spiritual courts with so much boldness that it was soon in their power to withdraw almost every person and every cause from the jurisdiction of the civil magistrate. (Hist. Eccles., tom. xix., Disc. Prélim., 16.) But, how ill founded soever the jurisdiction of the clergy may have been, or whatever might be the abuses to which their manner of exercising it gave rise, the principles and forms of their jurisprudence were far more perfect than that which was known in the civil courts. It seems to be certain that ecclesiastics never submitted, during any period in the Middle Ages, to the laws contained in the codes of the barbarous nations, but were governed entirely by the Roman law. They regulated all their transactions by such of its maxims as were preserved by tradition or were contained in the Theodosian Code and other books extant among them. This we learn from a custom which prevailed universally in those ages. Every person was permitted to choose, among the various codes of laws then in force, that to which he was willing to conform. In any transaction of importance, it was usual for the persons contracting to mention the law to which they submitted, that it might be known how any controversy that should arise between them was to be decided. Innumerable proofs of this occur in the charters of the Middle Ages. But the clergy considered it as such a valuable privilege of their order to be governed by the Roman law, that when any person entered into holy orders it was usual for him to renounce the code of laws to which he had been formerly subject, and to declare that he now submitted to the Roman law. "Constat me Johannem clericum, filium quondam Verandi, qui professus sum, ex natione mea, lege vivere Longobardorum, sed tamen, pro honore ecclesiastico, lege nunc videor vivere Romana." (Charta, A.D.

1072.) "Farulfus presbyter qui professus sum, more sacerdotii mei, lege vivere Romana." Charta, A.D. 1075; Muratori, Antichita Estensi, vol. i. p. 78. See likewise Houard, Anciennes Lois des François, etc., vol. i. p. 203.

The code of the canon law began to be compiled early in the ninth century. (Mém. de l'Acad. des Inscript., tom. xviii. p. 346, etc.) It was above two centuries after that before any collection was made of those customs which were the rule of judgments in the courts of the barons. Spiritual judges decided, of course, according to written and known laws: lay judges, left without any fixed guide, were directed by loose traditionary customs. But, besides this general advantage of the canon law, its forms and principles were more consonant to reason, and more favourable to the equitable decision of every point in controversy, than those which prevailed in lay courts. It appears from Notes XXI. and XXIII., concerning private wars and the trial by combat, that the whole spirit of ecclesiastical jurisprudence was adverse to those sanguinary customs, which were destructive of justice; and the whole force of ecclesiastical authority was exerted to abolish them, and to substitute trials by law and evidence in their room. Almost all the forms in lay courts which contribute to establish and continue to preserve order in judicial proceedings are borrowed from the canon law. (Fleury, Instit. du Droit Canon., part iii. c. 6, p. 52.) St. Louis, in his Establissemens, confirms many of his new regulations concerning property and the administration of justice by the authority of the canon law, from which he borrowed them. Thus, for instance, the first hint of attaching movables for the recovery of a debt was taken from the canon law. (Estab., liv. ii. c. 21 et 40.) And likewise the *cessio bonorum*, by a person who was insolvent. (Ibid.) In the same manner, he established new regulations with respect to the effects of persons dying intestate (liv. i. c. 89). These and many other salutary regulations the canonists had borrowed from the Roman law. Many other examples might be produced of more perfect jurisprudence in the canon law than was known in lay courts. For that reason it was deemed a high privilege to be subject to ecclesiastical jurisdiction. Among the many immunities by which men were allured to engage in the dangerous expeditions for the recovery of the Holy Land, one of the most considerable was the declaring such as took the cross to be subject only to the spiritual courts, and to the rules of decision observed in them. See Note XIII., and Du Cange, voc. *Crucis Privilegia.*

Note XXV.—Sect. I. p. 33.

The rapidity with which the knowledge and study of the Roman law spread over Europe is amazing. The copy of the Pandects was found at Amalfi, A.D. 1137. Irnerius opened a college of civil law at Bologna a few years after. (Giann., Hist., book xi. c. 2.) It began to be taught as a part of academical learning in different parts of France before the middle of the century. Vaccarius gave lectures on the civil law at Oxford as early as the year 1147. A regular system of feudal law, formed plainly in imitation of the Roman code, was composed by two Milanese lawyers about the year 1150. Gratian published the code of canon law, with large additions and emendations, about the same time. The earliest collection of those customs which served as the rules of decision in the courts of justice is the *Assises de Jérusalem.* They were compiled, as the preamble informs us, in the year 1099, and are called "Jus Consuetudinarium quo regebatur Regnum Orientale." (Willerm. Tyr., lib. xix. c. 2.) But peculiar circumstances gave occasion to this early compilation. The victorious crusaders settled as a colony in a foreign country, and adventurers from all the different nations of Europe composed this new society. It was necessary on that account to ascertain the laws and customs which were to regulate the transactions of business and the administration of justice among them. But in no country of Europe was there, at that time, any collection of customs, nor had any attempt been made to render law fixed. The first undertaking of that kind was by Glanville, lord chief justice of England, in his Tractatus de Legibus et Consuetudinibus Angliæ, composed about the year 1181. The Regiam Majestatem in Scotland, ascribed to David I., seems to be an imitation, and a servile one, of Glanville. Several Scottish antiquaries, under the influence of that pious credulity which disposes men to assent without hesitation to whatever they deem for the honour of their native country, contend zealously that the Regiam Majestatem is a production prior to the treatise of Glanville, and have brought themselves to believe that a nation in a superior state of improvement borrowed its laws and institutions from one considerably less advanced in its political progress. The internal evidence (were it my province to examine it) by which this theory might be refuted is, in my opinion, decisive. The external circumstances which have seduced Scottish authors into this mistake have been explained with so much precision and candour by Sir David Dalrymple, in his examination of some of the arguments for the high antiquity of the Regiam Majestatem (Edin., 1769, 4to), that it is to be hoped the controversy will not be again revived. Pierre de Fontaines, who tells us that he was the first who had attempted such a work in France, composed his *Conseil*, which contains an account of the customs of the country of Vermandois in the reign of St. Louis, which began A.D. 1226. Beaumanoir, the author of the Coustumes de Beauvoisis, lived about the same time. The Establissemens of St. Louis, containing a large collection of the customs which prevailed within the royal domains, were published by the authority of that monarch. As soon as men became acquainted with the advantages of having written customs and laws to which they could have recourse on every

occasion, the practice of collecting them became common. Charles VII. of France, by an ordinance A.D. 1453, appointed the customary laws in every province of France to be collected and arranged. Velly et Villaret, Histoire, tom. xvi. p. 113.

His successor, Louis XI., renewed the injunction. But this salutary undertaking hath never been fully executed, and the jurisprudence of the French nation remains more obscure and uncertain than it would have been if these prudent regulations of their monarchs had taken effect. A mode of judicial determination was established in the Middle Ages, which affords the clearest proof that judges, while they had no other rule to direct their decrees but unwritten and traditionary customs, were often at a loss how to find out the facts and principles according to which they were bound to decide. They were obliged, in dubious cases, to call a certain number of old men, and to lay the case before them, that they might inform them what was the practice or custom with regard to the point. This was called *enqueste par tourbe*. (Du Cange, voc. *Turba*.) The effects of the revival of the Roman jurisprudence have been explained by M. de Montesquieu (liv. xxviii. c. 42), and by Mr. Hume (Hist. of England, vol. ii. p. 441). I have adopted many of their ideas. Who can pretend to review any subject which such writers have considered, without receiving from them light and information? At the same time, I am convinced that the knowledge of the Roman law was not so entirely lost in Europe during the Middle Ages as is commonly believed. My subject does not require me to examine this point. Many striking facts with regard to it are collected by Donato Antonio d' Asti, Dell' Uso e Autorità della Ragione civile nelle Provincie dell' Imperio Occidentale, Nap., 1751, 2 vols, 8vo.

That the civil law is intimately connected with the municipal jurisprudence in several countries of Europe is a fact so well known that it needs no illustration. Even in England, where the common law is supposed to form a system perfectly distinct from the Roman code, and although such as apply in that country to the study of the common law boast of this distinction with some degree of affectation, it is evident that many of the ideas and maxims of the civil law are incorporated into the English jurisprudence. This is well illustrated by the ingenious and learned author of Observations on the Statutes, chiefly the more Ancient, 3rd edit., p. 76, etc.

Note XXVI.—Sect. I. p. 34.

The whole history of the Middle Ages makes it evident that war was the sole profession of gentlemen, and almost the only object attended to in their education. Even after some change in manners began to take place, and the civil arts of life had acquired some reputation, the ancient ideas with respect to the accomplishments necessary for a person of noble birth continued long in force. In the Mémoires de Fleuranges, p. 9, etc., we have an account of the youthful exercises and occupations of Francis I., and they were altogether martial and athletic. That father of letters owed his relish for them, not to education, but to his own good sense and good taste. The manners of the superior order of ecclesiastics during the Middle Ages furnish the strongest proof that, in some instances, the distinction of professions was not completely ascertained in Europe. The functions and character of the clergy are obviously very different from those of laymen; and among the inferior orders of churchmen this constituted a distinct character separate from that of other citizens. But the dignified ecclesiastics, who were frequently of noble birth, were above such a distinction; they retained the idea of what belonged to them as gentlemen, and, in spite of the decrees of popes or the canons of councils, they bore arms, led their vassals to the field, and fought at their head in battle. Among them the priesthood was scarcely a separate profession; the military accomplishments which they thought essential to them as gentlemen were cultivated; the theological science and pacific virtues suitable to their spiritual function were neglected and despised.

As soon as the science of law became a laborious study, and the practice of it a separate profession, such persons as rose to eminence in it obtained honours which had formerly been appropriated to soldiers. Knighthood was the most illustrious mark of distinction during several ages, and conferred privileges to which rank or birth alone was not entitled. To this high dignity persons eminent for their knowledge of law were advanced, and were thereby placed on a level with those whom their military talents had rendered conspicuous. *Miles justitiæ, miles literatus*, became common titles. Matthew Paris mentions such knights as early as A.D. 1251. If a judge attained a certain rank in the courts of justice, that alone gave him a right to the honour of knighthood. (Pasquier, Recherches, liv. xi. c. 16, p. 130; Dissertations historiques sur la Chevalerie, par Honoré de Sainte-Marie, p. 164 etc.) A profession that led to offices which ennobled the persons who held them grew into credit, and the people of Europe became accustomed to see men rise to eminence by civil as well as military talents.

Note XXVII.—Sect. I. p. 35.

The chief intention of these notes was to bring at once under the view of my readers such facts and circumstances as tend to illustrate or confirm what is contained in that part of the history to which they refer. When these lay scattered in many different authors, and were taken from books not generally known, or which many of my readers might find it disagreeable

to consult, I thought it would be of advantage to collect them together. But when everything necessary for the proof or illustration of my narrative or reasoning may be found in any one book which is generally known, or deserves to be so, I shall satisfy myself with referring to it. This is the case with respect to chivalry. Almost every fact which I have mentioned in the text, together with many other curious and instructive particulars concerning this singular institution, may be found in Mémoires sur l'ancienne Chevalerie considérée comme une Etablissement politique et militaire, par M. de la Curne de Ste. Palaye.

Note XXVIII.—Sect. I. p. 37.

The subject of my inquiries does not call me to write a history of the progress of science. The facts and observations which I have produced are sufficient to illustrate the effects of its progress upon manners and the state of society. While science was altogether extinct in the western parts of Europe, it was cultivated in Constantinople and other parts of the Grecian empire. But the subtile genius of the Greeks turned almost entirely to theological disputation. The Latins borrowed that spirit from them, and many of the controversies which still occupy and divide theologians took their rise among the Greeks, from whom the other Europeans derived a considerable part of their knowledge. (See the testimony of Æneas Silvius, ap. Conringium de Antiq. Academicis, p. 43; Histoire littéraire de France, tom. vii. p. 113, etc., tom. ix. p. 151, etc.) Soon after the empire of the Caliphs was established in the East, some illustrious princes arose among them, who encouraged science. But when the Arabians turned their attention to the literature cultivated by the ancient Greeks and Romans, the chaste and correct taste of their works of genius appeared frigid and unanimated to a people of a more warm imagination. Though they could not admire the poets and historians of Greece or of Rome, they were sensible to the merit of their philosophers. The operations of the intellect are more fixed and uniform than those of the fancy or taste. Truth makes an impression nearly the same in every place; the ideas of what is beautiful, elegant, or sublime vary in different climates. The Arabians, though they neglected Homer, translated the most eminent of the Greek philosophers into their own language, and, guided by their precepts and discoveries, applied themselves with great ardour to the study of geometry, astronomy, medicine, dialectics, and metaphysics. In the three former they made considerable and useful improvements, which have contributed not a little to advance those sciences to that high degree of perfection which they have attained. In the two latter they chose Aristotle for their guide, and, refining on the subtle and distinguishing spirit which characterizes his philosophy, they rendered it in a great degree frivolous and unintelligible. The schools established in the East for teaching and cultivating these sciences were in high reputation. They communicated their love of science to their countrymen, who conquered Africa and Spain; and the schools instituted there were little inferior in fame to those in the East. Many of the persons who distinguished themselves by their proficiency in science during the twelfth and thirteenth centuries were educated among the Arabians. Bruckerus collects many instances of this (Histor. Philos., vol. iii. p. 681, etc.). Almost all the men eminent for science during several centuries, if they did not resort in person to the schools in Africa and Spain, were instructed in the philosophy of the Arabians. The first knowledge of the Aristotelian philosophy in the Middle Ages was acquired by translations of Aristotle's works out of the Arabic. The Arabian commentators were deemed the most skilful and authentic guides in the study of his system. (Conring., Antiq. Acad., Diss. III. p. 95, etc.; Supplem., p. 241, etc.; Murat., Antiquit. Ital., vol. iii. p. 932, etc.) From them the schoolmen derived the genius and principles of their philosophy, which contributed so much to retard the progress of true science.

The establishment of colleges or universities is a remarkable era in literary history. The schools in cathedrals and monasteries confined themselves chiefly to the teaching of grammar. There were only one or two masters employed in that office. But in colleges, professors were appointed to teach all the different parts of science. The course or order of education was fixed. The time that ought to be allotted to the study of each science was ascertained. A regular form of trying the proficiency of students was prescribed; and academical titles and honours were conferred on such as acquitted themselves with approbation. A good account of the origin and nature of these is given by Seb. Bacmeisterus, Antiquitates Rostochienses, sive Historia Urbis et Academiæ Rostoch. ap. Monumenta inedita Rer. Germ., per E. J. de Westphalen, vol. iii. p. 781, Lips., 1743. The first obscure mention of these academical degrees in the University of Paris (from which the other universities in Europe have borrowed most of their customs and institutions) occurs A.D. 1215. (Crevier, Hist. de l'Univ. de Paris, tom. i. p. 296, etc.) They were completely established A.D. 1231. (Ibid., 248.) It is unnecessary to enumerate the several privileges to which bachelors, masters, and doctors were entitled. One circumstance is sufficient to demonstrate the high degree of estimation in which they were held. Doctors in the different faculties contended with knights for precedence, and the dispute was terminated in many instances by advancing the former to the dignity of knighthood, the high prerogatives of which I have mentioned. It was even asserted that a doctor had a right to that title without creation. Bartolus taught "doctorem actualiter regentem in jure civili per decennium effici militem ipso facto." (Honoré de Ste. Marie, Dissert., p. 165.) This was called "chevalerie de lectures," and

the persons advanced to that dignity, "milites clerici." These new establishments for education, together with the extraordinary honours conferred on learned men, greatly increased the number of scholars. In the year 1262 there were ten thousand students in the University of Bologna; and it appears from the history of that university that law was the only science taught in it at that time. In the year 1340 there were thirty thousand in the University of Oxford. (Speed's Chron., ap. Anderson's Chronol. Deduction of Commerce, vol. i. p. 172.) In the same century, ten thousand persons voted in a question agitated in the University of Paris; and, as graduates alone were admitted to that privilege, the number of students must have been very great. (Velly, Hist. de France, tom. xi. p. 147.) There were indeed few universities in Europe at that time; but such a number of students may nevertheless be produced as a proof of the extraordinary ardour with which men applied to the study of science in those ages; it shows, likewise, that they already began to consider other professions beside that of a soldier as honourable and useful.

Note XXIX.—Sect. I. p. 38.

The great variety of subjects which I have endeavoured to illustrate, and the extent of this upon which I now enter, will justify my adopting the words of M. de Montesquieu when he begins to treat of commerce. "The subject which follows would require to be discussed more at large; but the nature of this work does not permit it. I wish to glide on a tranquil stream; but I am hurried along by a torrent."

Many proofs occur in history of the little intercourse between nations during the Middle Ages. Towards the close of the tenth century, Count Bouchard, intending to found a monastery at St. Maur des Fosses, near Paris, applied to an abbot of Clugny, in Burgundy, famous for his sanctity, entreating him to conduct the monks thither. The language in which he addressed that holy man is singular: he tells him that he had undertaken the labour of such a great journey; that he was fatigued with the length of it, therefore hoped to obtain his request, and that his journey into such a distant country should not be in vain. The answer of the abbot is still more extraordinary. He refused to comply with his desire, as it would be extremely fatiguing to go along with him into a strange and unknown region. (Vita Burchardi venerabilis Comitis, ap. Bouquet, Rec. des Hist., vol. x. p. 351.) Even so late as the beginning of the twelfth century, the monks of Ferrières, in the diocese of Sens, did not know that there was such a city as Tournay in Flanders; and the monks of St. Martin of Tournay were equally unacquainted with the situation of Ferrières. A transaction in which they were both concerned made it necessary for them to have some intercourse. The mutual interest of both monasteries prompted each to find out the situation of the other. After a long search, which is particularly described, the discovery was made by accident. (Herimannus Abbas, De Restauratione St. Martini Tornacensis, ap. Dacher. Spicil., vol. xii. p. 400.) The ignorance of the Middle Ages with respect to the situation and geography of remote countries was still more remarkable. The most ancient geographical chart which now remains as a monument of the state of that science in Europe during the Middle Ages is found in a manuscript of the Chronique de St. Denys. There the three parts of the earth then known are so represented that Jerusalem is placed in the middle of the globe, and Alexandria appears to be as near to it as Nazareth. (Mém. de l'Acad. des Belles-Lettres, tom. xvi. p. 185.) There seem to have been no inns or houses of entertainment for the reception of travellers during the Middle Ages. (Murat., Antiq. Ital., vol. iii. p. 581, etc.) This is a proof of the little intercourse which took place between different nations. Among people whose manners are simple, and who are seldom visited by strangers, hospitality is a virtue of the first rank. This duty of hospitality was so necessary in that state of society which took place during the Middle Ages that it was not considered as one of those virtues which men may practise or not, according to the temper of their minds and the generosity of their hearts. Hospitality was enforced by statutes, and such as neglected this duty were liable to punishment. "Quicunque hospiti venienti lectum aut focum negaverit, trium solidorum inlatione mulctetur." (Leg. Burgund., tit. xxxviii. § 1.) "Si quis homini aliquo pergenti in itinere mansionem vetaverit, sexaginta solidos componat in publico." (Capitul., lib. vi. § 82.) This increase of the penalty, at a period so long after that in which the laws of the Burgundians were published, and when the state of society was much improved, is very remarkable. Other laws of the same purport are collected by Jo. Fred. Polac., Systema Jurisprud. Germanicæ, Lips., 1733, p. 75. The laws of the Slavi were more rigorous than any that he mentions: they ordained that the movables of an inhospitable person should be confiscated, and his house burnt. They were even so solicitous for the entertainment of strangers that they permitted the landlord to steal for the support of his guest. "Quod noctu furatus fueris, cras appone hospitibus" (Rerum Mecleburgicar., lib. viii. a Mat. Jo. Beehr., Lips., 1751, p. 50.) In consequence of these laws, or of the state of society which made it proper to enact them, hospitality abounded while the intercourse among men was inconsiderable, and secured the stranger a kind reception under every roof where he chose to take shelter. This, too, proves clearly that the intercourse among men was rare; for as soon as this became frequent, what was a pleasure became a burden, and the entertaining of travellers was converted into a branch of commerce.

But the laws of the Middle Ages afford a proof still more convincing of the small intercourse

between different nations. The genius of the feudal system, as well as the spirit of jealousy which always accompanies ignorance, concurred in discouraging strangers from settling in any new country. If a person removed from one province in a kingdom to another, he was bound within a year and a day to acknowledge himself the vassal of the baron in whose estate he settled; if he neglected to do so, he became liable to a penalty; and if at his death he neglected to leave a certain legacy to the baron within whose territory he had resided, all his goods were confiscated. The hardships imposed on foreigners settling in a country were still more intolerable. In more early times the superior lord of any territory in which a foreigner settled might seize his person and reduce him to servitude. Very striking instances of this occur in the history of the Middle Ages. The cruel depredations of the Normans in the ninth century obliged many inhabitants of the maritime provinces of France to fly into the interior parts of the kingdom. But, instead of being received with that humanity to which their wretched condition entitled them, they were reduced to a state of servitude. Both the civil and ecclesiastical powers found it necessary to interpose in order to put a stop to this barbarous practice. (Potgiesser., de Statu Servor., lib. i. c. 1, § 16.) In other countries the laws permitted the inhabitants of the maritime provinces to reduce such as were shipwrecked on their coast to servitude. (Ibid., § 17.) This barbarous custom prevailed in many countries of Europe. The practice of seizing the goods of persons who had been shipwrecked, and of confiscating them as the property of the lord on whose manor they were thrown, seems to have been universal. (De Westphalen, Monum. inedita Rer. Germ., vol. iv. p. 907, etc., and Du Cange, voc. *Laganum*; Beehr., Rer. Mecleb., lib. viii. p. 512.) Among the ancient Welsh three sorts of persons, a madman, a stranger, and a leper, might be killed with impunity. (Leges Hoel Dda, quoted in Observat. on the Statutes, chiefly the more Ancient, p. 22.) M. de Laurière produces several ancient deeds which prove that in different provinces of France strangers became the slaves of the lord on whose lands they settled. (Glossaire du Droit François, art. *Aubaine*, p. 92.) Beaumanoir says, "That there are several places in France in which, if a stranger fixes his residence for a year and a day, he becomes the slave of the lord of the manor." (Coust. de Beauv., ch. 45, p. 254.) As a practice so contrary to humanity could not subsist long, the superior lords found it necessary to rest satisfied, instead of enslaving aliens, with levying certain annual taxes upon them, or imposing upon them some extraordinary duties or services. But when any stranger died, he could not convey his effects by will; and all his real as well as personal estate fell to the king, or to the lord of the barony, to the exclusion of his natural heirs. This is termed in France *droit d'aubaine*. (Préf. de Laurière, Ordon., tom. i. p. 15; Brussel, tom. ii. p. 914; Du Cange, voc. *Albani*; Pasquier Recherches, p. 367.) This practice of confiscating the effects of strangers upon their death was very ancient. It is mentioned, though very obscurely, in a law of Charlemagne, A.D. 813, Capitul. Baluz., p. 507, § 5. Not only persons who were born in a foreign country were subject to the "droit d'aubaine," but in some countries such as removed from one diocese to another, or from the lands of one baron to another. (Brussel, vol. ii. pp. 947, 948.) It is hardly possible to conceive any law more unfavourable to the intercourse between nations. Something similar to it, however, may be found in the ancient laws of every kingdom in Europe. With respect to Italy, see Murat., Ant., vol. ii. p. 14. As nations advanced in improvement, this practice was gradually abolished. It is no small disgrace to the French jurisprudence that this barbarous, inhospitable custom should have so long remained among a people so highly civilized.

The confusion and outrage which abounded under a feeble form of government, incapable of framing or executing salutary laws, rendered the communication between the different provinces of the same kingdom extremely dangerous. It appears from a letter of Lupus, abbot of Ferrières, in the ninth century, that the highways were so much infested by banditti that it was necessary for travellers to form themselves into companies or caravans, that they might be safe from the assaults of robbers. (Bouquet, Recueil des Hist., vol vii. p. 515.) The numerous regulations published by Charles the Bald in the same century discover the frequency of these disorders; and such acts of violence were become so common that by many they were hardly considered as criminal. For this reason the inferior judges, called "centenarii," were required to take an oath that they would neither commit any robbery themselves, nor protect such as were guilty of that crime. (Capitul., edit. Baluz, vol. ii. pp. 63, 68.) The historians of the ninth and tenth centuries give pathetic descriptions of these disorders. Some remarkable passages to this purpose are collected by Mat. Jo. Beehr., Rer. Mecleb., lib. viii. p. 603. They became so frequent and audacious that the authority of the civil magistrate was unable to repress them. The ecclesiastical jurisdiction was called in to aid it. Councils were held with great solemnity, the bodies of the saints were brought thither, and, in presence of their sacred relics, anathemas were denounced against robbers and other violators of the public peace. (Bouquet, Recueil des Hist., tom. x. pp. 360, 431, 536.) One of these forms of excommunication, issued A.D. 988, is still preserved, and is so singular, and composed with eloquence of such a peculiar kind, that it will not perhaps be deemed unworthy of a place here. After the usual introduction, and mentioning the outrage which gave occasion to the anathema, it runs thus: "Obtenebrescant oculi vestri, qui concupiverunt; arescant manus, quæ rapuerunt; debilitentur omnia membra, quæ adjuverunt. Semper laboretis, nec requiem inveniatis, fructuque vestri laboris privemini. Formidetis, et paveatis, a facie persequentis et non persequentis hostis, ut

tabescendo deficiatis. Sit portio vestra cum Juda traditore Domini, in terra mortis et tenebrarum; donec corda vestra ad satisfactionem plenam convertantur.—Ne cessent a vobis hæ maledictiones, scelerum vestrorum persecutrices, quamdiu p rmanebitis in peccato pervasionis. Amen, Fiat, Fiat." Bouquet, ibid., p. 517.

Note XXX.—Sect. I. p. 40.

With respect to the progress of commerce, which I have described, p. 37, etc., it may be observed that the Italian states carried on some commerce with the cities of the Greek empire as early as the age of Charlemagne, and imported into their own country the rich commodities of the East. (Murat., Antiq. Ital., vol. ii. p. 882.) In the tenth century the Venetians had opened a trade with Alexandria in Egypt. (Ibid.) The inhabitants of Amalfi and Pisa had likewise extended their trade to the same ports. (Murat., ib., pp. 884, 885.) The effects of the crusades in increasing the wealth and commerce of the Italian states, and particularly that which they carried on with the East, I have explained, p. 16 of this volume. They not only imported the Indian commodities from the East, but established manufactures of curious fabric in their own country. Some of these are enumerated by Muratori in his Dissertations concerning the *arts* and the *weaving* of the Middle Ages. (Antiq. Ital., vol. ii. pp. 349, 399.) They made great progress particularly in the manufacture of silk, which had long been peculiar to the eastern provinces of Asia. Silk stuffs were of such high price in ancient Rome that only a few persons of the first rank were able to purchase them. Under Aurelian, A.D. 270, a pound of silk was equal in value to a pound of gold. "Absit ut auro fila pensentur. Libra enim auri tunc libra serici fuit." (Vopiscus, in Aureliano.) Justinian, in the sixth century, introduced the art of rearing silk-worms into Greece, which rendered the commodity somewhat more plentiful, though still it was of such great value as to remain an article of luxury or magnificence, reserved only for persons of the first order, or for public solemnities. Roger I., king of Sicily, about the year 1130, carried off a number of artificers in the silk-trade from Athens, and, settling them in Palermo, introduced the culture of silk into his kingdom, from which it was communicated to other parts of Italy. (Giannon., Hist. of Naples, b. xi. c. 7.) This seems to have rendered silk so common that about the middle of the fourteenth century a thousand citizens of Genoa appeared in one procession clad in silk robes. Sugar is likewise a production of the East. Some plants of the sugar-cane were brought from Asia; and the first attempt to cultivate them in Sicily was made about the middle of the twelfth century. From thence they were transplanted into the southern provinces of Spain. From Spain they were carried to the Canary and Madeira Isles, and at length into the New World. Ludovico Guicciardini, in enumerating the goods imported into Antwerp about the year 1500, mentions the sugar which they received from Spain and Portugal as a considerable article. He describes that sugar as the product of the Madeira and Canary Islands. (Descritt. de' Paesi Bassi, pp. 180, 181.) The sugar-cane was introduced into the West Indies before that time; but the cultivation of it was not so improved or so extensive as to furnish an article of much consequence in commerce. In the Middle Ages, though sugar was not raised in such quantities or employed for so many purposes as to become one of the common necessaries of life, it appears to have been a considerable article in the commerce of the Italian states.

These various commodities with which the Italians furnished the other nations of Europe procured them a favourable reception in every kingdom. They were established in France in the thirteenth century with most extensive immunities. They not only obtained every indulgence favourable to their commerce, but personal rights and privileges were granted to them which the natives of the kingdom did not enjoy. (Ordon., tom. iv. p. 668.) By a special proviso they were exempted from the *droit d'aubaine*. (Ibid., p. 670.) As the Lombards (a name frequently given to all Italian merchants in many parts of Europe) engrossed the trade of every kingdom in which they settled, they became masters of its cash. Money, of course, was in their hands not only a sign of the value of other commodities, but became an object of commerce itself. They dealt largely as bankers. In an ordinance, A.D. 1295, we find them styled *mercatores* and *campsores*. They carried on this as well as other branches of their commerce with somewhat of that rapacious spirit which is natural to monopolizers who are not restrained by the competition of rival traders. An absurd opinion which prevailed in the Middle Ages was, however, in some measure the cause of their exorbitant demands, and may be pleaded in apology for them. Trade cannot be carried on with advantage unless the persons who lend a sum of money are allowed a certain premium for the use of it, as a compensation for the risk which they run in permitting another to traffic with their stock. This premium is fixed by law in all commercial countries, and is called the legal interest of money. But the fathers of the Church had preposterously applied the prohibitions of usury in Scripture to the payment of legal interest, and condemned it as a sin. The schoolmen, misled by Aristotle, whose sentiments they followed implicitly and without examination, adopted the same error, and enforced it. (Blackstone's Commentaries on the Laws of England, vol. ii. p. 455.) Thus the Lombards found themselves engaged in a traffic which was everywhere deemed criminal and odious. They were liable to punishment if detected. They were not satisfied, therefore, with that moderate premium which they might have claimed if their trade had been open and

authorized by law. They exacted a sum proportional to the danger and infamy of a discovery. Accordingly, we find that it was usual for them to demand twenty per cent. for the use of money in the thirteenth century. (Murat., Antiq. Ital., vol. i. p. 893.) About the beginning of that century the countess of Flanders was obliged to borrow money in order to pay her husband's ransom. She procured the sum requisite either from Italian merchants or from Jews. The lowest interest which she paid to them was above twenty per cent., and some of them exacted near thirty. (Martene and Durand., Thesaur. Anecdotorum, vol. i. p. 886.) In the fourteenth century, A.D. 1311, Philip IV. fixed the interest which might be legally exacted in the fairs of Champagne at twenty per cent. (Ordon., tom. i. p. 484.) The interest of money in Aragon was somewhat lower. James I., A.D. 1242, fixed it by law at eighteen per cent. (Petr. de Marca, *Marca*, sive Limes Hispan., App., 1433.) As late as the year 1490, it appears that the interest of money in Placentia was at the rate of forty per cent. This is the more extraordinary because at that time the commerce of the Italian states was become considerable. (Memorie storiche de Piacenza, tom. viii. p. 104, Piac., 1760.) It appears from Lud. Guicciardini that Charles V. had fixed the rate of interest in his dominions in the Low Countries at twelve per cent., and at the time when he wrote, about the year 1560, it was not uncommon to exact more than that sum. He complains of this as exorbitant, and points out its bad effects both on agriculture and commerce. (Descritt. de' Paesi Bassi, p. 172.) This high interest of money is alone a proof that the profits on commerce were exorbitant, and that it was not carried on to great extent. The Lombards were likewise established in England in the thirteenth century, and a considerable street in the city of London still bears their name. They enjoyed great privileges, and carried on an extensive commerce, particularly as bankers. (See Anderson's Chronol. Deduction, vol. i. pp. 137, 160, 204, 231, where the statutes or other authorities which confirm this are quoted.) But the chief mart for Italian commodities was at Bruges. Navigation was then so imperfect that to sail from any port in the Baltic and to return again was a voyage too great to be performed in one summer. For that reason, a magazine or storehouse, half-way between the commercial cities in the North and those in Italy, became necessary. Bruges was pitched upon as the most convenient station. That choice introduced vast wealth into the Low Countries. Bruges was at once the staple for English wool, for the woollen and linen manufactures of the Netherlands, for the naval stores and other bulky commodities of the North, and for the Indian commodities as well as domestic productions imported by the Italian states. The extent of its commerce in Indian goods with Venice alone appears from one fact. In the year 1318 five Venetian galeasses laden with Indian commodities arrived at Bruges in order to dispose of their cargoes at the fair. These galeasses were vessels of very considerable burden. (L. Guic., Descritt. de' Paesi Bassi, p. 174.) Bruges was the greatest emporium in all Europe. Many proofs of this occur in the historians and records of the thirteenth and fourteenth centuries. But, instead of multiplying quotations, I shall refer my readers to Andersen, vol. i. pp. 12, 137, 213, 246, etc. The nature of this work prevents me from entering into any more minute detail, but there are some detached facts which give a high idea of the wealth both of the Flemish and Italian commercial states. The duke of Brabant contracted his daughter to the Black Prince, son of Edward III. of England, A.D. 1339, and gave her a portion which we may reckon to be of equal value with three hundred thousand pounds of our present money. (Rymer's Fœdera, vol. v. p. 113.) John Galeazzo Visconti, duke of Milan, concluded a treaty of marriage between his daughter and Lionel, duke of Clarence, Edward's third son, A.D. 1367, and granted her a portion equal to two hundred thousand pounds of our present money. (Rymer's Fœdera, vol. vi. p. 547.) These exorbitant sums, so far exceeding what was then granted by the most powerful monarchs, and which appear extraordinary even in the present age, when the wealth of Europe is so much increased, must have arisen from the riches which flowed into those countries from their extensive and lucrative commerce. The first source of wealth to the towns situated on the Baltic Sea seems to have been the herring-fishery,—the shoals of herrings frequenting at that time the coasts of Sweden and Denmark in the same manner as they now resort to the British coasts. The effects of this fishery are thus described by an author of the thirteenth century. The Danes, says he, who were formerly clad in the poor garb of sailors, are now clothed in scarlet, purple, and fine linen. For they abound with wealth flowing from their annual fishery on the coast of Schonen; so that all nations resort to them, bringing their gold, silver, and precious commodities, that they may purchase herrings, which the Divine bounty bestows upon them. Arnoldus Lubecensis, ap. Conring., de Urbib. German., § 87.

The Hanseatic League is the most powerful commercial confederacy known in history. Its origin towards the close of the twelfth century, and the objects of its union, are described by Knipschildt, Tractatus Historico-Politico-Juridicus de Juribus Civitat. Imper., lib. i. cap. 4. Anderson has mentioned the chief facts with respect to their commercial progress, the extent of the privileges which they obtained in different countries, their successful wars with several monarchs, as well as the spirit and zeal with which they contended for those liberties and rights without which it is impossible to carry on commerce to advantage. The vigorous efforts of a society of merchants attentive only to commercial objects could not fail of diffusing new and more liberal ideas concerning justice and order in every country of Europe where they settled.

In England the progress of commerce was extremely slow; and the causes of this are obvious. During the Saxon Heptarchy, England, split into many petty kingdoms, which were perpetually at variance with each other, exposed to the fierce incursions of the Danes and other Northern pirates, and sunk in barbarity and ignorance, was in no condition to cultivate commerce or to pursue any system of useful and salutary policy. When a better prospect began to open, by the union of the kingdom under one monarch, the Norman conquest took place. This occasioned such a violent shock, as well as such a sudden and total revolution of property, that the nation did not recover from it during several reigns. By the time that the constitution began to acquire some stability, and the English had so incorporated with their conquerors as to become one people, the nation engaged with no less ardour than imprudence in support of the pretensions of their sovereigns to the crown of France, and long wasted its vigour and genius in its wild efforts to conquer that kingdom. When, by ill success and repeated disappointments, a period was at last put to this fatal frenzy, and the nation, beginning to enjoy some repose, had leisure to breathe and to gather new strength, the destructive wars between the houses of York and Lancaster broke out, and involved the kingdom in the worst of all calamities. Thus, besides the common obstructions of commerce occasioned by the nature of the feudal government and the state of manners during the Middle Ages, its progress in England was retarded by peculiar causes. Such a succession of events adverse to the commercial spirit was sufficient to have checked its growth although every other circumstance had favoured it. The English were accordingly one of the last nations in Europe who availed themselves of those commercial advantages which were natural or peculiar to their country. Before the reign of Edward III., all the wool of England, except a small quantity wrought into coarse cloths for home consumption, was sold to the Flemings or Lombards and manufactured by them. Though Edward, A.D. 1326, began to allure some of the Flemish weavers to settle in England, it was long before the English were capable of fabricating cloth for foreign markets, and the export of unwrought wool still continued to be the chief article of their commerce. (Anderson, passim.) All foreign commodities were brought into England by the Lombards or Hanseatic merchants. The English ports were frequented by ships both from the North and South of Europe, and they tamely allowed foreigners to reap all the profits arising from the supply of their wants. The first commercial treaty of England on record is that with Haquin, king of Norway, A.D. 1217. (Anders., vol. i. p. 108.) But the English did not venture to trade in their own ships to the Baltic until the beginning of the fourteenth century. (Ibid., p. 151.) It was after the middle of the fifteenth before they sent any ship into the Mediterranean. (Ibid., p. 177.) Nor was it long before this period that their vessels began to visit the ports of Spain or Portugal. But though I have pointed out the slow progress of the English commerce as a fact little attended to, and yet meriting consideration, the concourse of foreigners to the ports of England, together with the communication among all the different countries in Europe, which went on increasing from the beginning of the twelfth century, is sufficient to justify all the observations and reasonings in the text concerning the influence of commerce on the state of manners and of society.

Note XXXI.—Sect. III. p. 71.

I have not been able to discover the precise manner in which the justiza was appointed. Among the claims of the *junta* or *union* formed against James I., A.D. 1264, this was one: that the king should not nominate any person to be justiza without the consent or approbation of the *ricos hombres*, or nobles. (Zurita, Anales de Aragon, vol. i. p. 180.) But the king, in his answer to their remonstrance, asserts "that it was established by immemorial practice, and was comformable to the laws of the kingdom, that the king, in virtue of his royal prerogative, should name the justiza." (Zurita, ibid., 181; Blanca, 656.) From another passage in Zurita, it appears that while the Aragonese enjoyed the privilege of *the union*, *i.e.*, the power of confederating against their sovereign as often as they conceived that he had violated any of their rights and immunities, the justiza was not only nominated by the king, but held his office during the king's pleasure. Nor was this practice attended with any bad effects, as the privilege of the union was a sufficient and effectual check to any abuse of the royal prerogative. But when the privilege of the union was abolished as dangerous to the order and peace of society, it was agreed that the justiza should continue in office during life. Several kings, however, attempted to remove justizas who were obnoxious to them, and they sometimes succeeded in the attempt. In order to guard against this encroachment, which would have destroyed the intention of the institution and have rendered the justiza the dependant and tool of the crown, instead of the guardian of the people, a law was enacted in the cortes, A.D. 1442, ordaining that the justiza should continue in office during life, and should not be removed from it unless by the authority of the cortes. (Fueros y Observancias del Reyno de Aragon, lib. i. p. 22.) By former laws, the person of the justiza had been declared sacred, and he was responsible only to the cortes. (Ibid., p. 15, b.) Zurita and Blanca, who both published their histories while the justiza of Aragon retained the full exercise of his privileges and jurisdiction, have neglected to explain several circumstances with regard to the office of that respectable magistrate, because they addressed their works to their countrymen, who were well acquainted with every particular

concerning the functions of a judge to whom they looked up as to the guardian of their liberties. It is vain to consult the later historians of Spain about any point with respect to which the excellent historians whom I have named are silent. The ancient constitution of their country was overturned, and despotism established on the ruin of its liberties, when the writers of this and the preceding century composed their histories, and on that account they had little curiosity to know the nature of those institutions to which their ancestors owed the enjoyment of freedom, or they were afraid to describe them with much accuracy. The spirit with which Mariana, his continuator Miniana, and Ferreras, write their histories, is very different from that of the two historians of Aragon from whom I have taken my account of the constitution of that kingdom.

Two circumstances concerning the justiza, besides those which I have mentioned in the text, are worthy of observation. 1. None of the *ricos hombres*, or noblemen of the first order, could be appointed justiza. He was taken out of the second class of *cavalleros*, who seem to have been nearly of the same condition or rank with gentlemen or commoners in Great Britain. (Fueros y Observancias del Reyno, etc., lib. i. p. 21, b.) The reason was, by the laws of Aragon the *ricos hombres* were not subject to capital punishment; but, as it was necessary for the security of liberty that the justiza should be accountable for the manner in which he executed the high trust reposed in him, it was a powerful restraint upon him to know that he was liable to be punished capitally. (Blanca, pp. 657, 756; Zurita, tom. ii. p. 229; Fueros y Observancias, lib ix. pp. 182, b. 183.) It appears, too, from many passages in Zurita that the justiza was appointed to check the domineering and oppressive spirit of the nobles, as well as to set bounds to the power of the monarch, and therefore he was chosen from an order of citizens equally interested in opposing both.

2. A magistrate possessed of such vast powers as the justiza might have exercised them in a manner pernicious to the state if he himself had been subject to no control. A constitutional remedy was on that account provided against this danger. Seventeen persons were chosen by lot in each meeting of the cortes. These formed a tribunal called the court of inquisition into the office of justiza. This court met at three stated terms in each year. Every person had liberty of complaining to it of any iniquity or neglect of duty in the justiza, or in the inferior judges who acted in his name. The justiza and his deputies were called to answer for their conduct. The members of the court passed sentence by ballot. They might punish by degradation, confiscation of goods, or even with death. The law which erected this court and regulated the form of its procedure was enacted A.D. 1461. (Zurita, Anales, iv. 102; Blanca, Comment. Rer. Aragon., 770.) Previous to this period, inquiry was made into the conduct of the justiza, though not with the same formality. He was, from the first institution of the office, subject to the review of the cortes. The constant dread of such an impartial and severe inquiry into his behaviour was a powerful motive to the vigilant and faithful discharge of his duty. A remarkable instance of the authority of the justiza when opposed to that of the king occurs in the year 1356. By the constitution of Aragon, the eldest son or heir-apparent of the crown possessed considerable power and jurisdiction in the kingdom. (Fueros y Observancias del Reyno de Aragon, lib. i. p. 16.) Peter IV., instigated by a second wife, attempted to deprive his son of this, and enjoined his subjects to yield him no obedience. The prince immediately applied to the justiza, "the safeguard and defence," says Zurita, "against all violence and oppression." The justiza granted him the *firma de derecho*, the effect of which was that upon his giving surety to appear in judgment he could not be deprived of any immunity or privilege which he possessed, but in consequence of a legal trial before the justiza and of a sentence pronounced by him. This was published throughout the kingdom, and, notwithstanding the proclamation in contradiction to this which had been issued by the king, the prince continued in the exercise of all his rights, and his authority was universally recognized. Zurita, Anales de Aragon, tom. ii. p. 385.

Note XXXII.—Sect. III. p. 71.

I have been induced, by the concurring testimony of many respectable authors, to mention this as the constitutional form of the oath of allegiance which the Aragonese took to their sovereigns. I must acknowledge, however, that I have not found this singular oath in any Spanish author whom I have had an opportunity of consulting. It is mentioned neither by Zurita, nor Blanca, nor Argensola, nor Sayas, who were all historiographers appointed by the cortes of Aragon to record the transactions of the kingdom. All these writers possess a merit which is very rare among historians. They are extremely accurate in tracing the progress of the laws and constitution of their country. Their silence with respect to this creates some suspicion concerning the genuineness of the oath. But as it is mentioned by so many authors, who produce the ancient Spanish words in which it is expressed, it is probable that they have taken it from some writer of credit whose works have not fallen into my hands. The spirit of the oath is perfectly agreeable to the genius of the Aragonese constitution. Since the publication of the first edition, the learned M. Totze, Professor of History at Batzow, in the duchy of Mecklenburg, has been so good as to point out to me a Spanish author of great authority who has published the words of this oath. It is Antonio Perez, a native of Aragon, secretary to Philip

II. The words of the oath are, "Nos que valemos tanto como vos, os hazemos nuestro rey y señor, con tal que nos guardeys nuestros fueros y libertades, y si No, No." Las Obras y Relaciones de Ant. Perez, 8vo, por Juan de la Planche, 1631, p. 143.

The privilege of union which I have mentioned in the preceding note and alluded to in the text is indeed one of the most singular which could take place in a regular government, and the oath that I have quoted expresses nothing more than this constitutional privilege entitled the Aragonese to perform. If the king or his ministers violated any of the laws or immunities of the Aragonese, and did not grant immediate redress in consequence of their representations and remonstrances, the nobles of the first rank, or *ricos hombres de natura, y de mesnada*, the equestrian order, or the nobility of the second class, called *hidalgos y infanciones*, together with the magistrates of cities, might, either in the cortes or in a voluntary assembly, join in union, and, binding themselves by mutual oaths and the exchange of hostages to be faithful to each other, they might require the king, in the name and by the authority of this body corporate, to grant them redress. If the king refused to comply with their request, or took arms in order to oppose them, they might, in virtue of the privilege of union, instantly withdraw their allegiance from the king, refuse to acknowledge him as their sovereign, and proceed to elect another monarch; nor did they incur any guilt or become liable to any prosecution on that account. (Blanca, Com. Rer. Arag., 661, 669.) This union did not resemble the confederacies in other feudal kingdoms. It was a constitutional association, in which legal privileges were vested, which issued its mandates under a common seal, and proceeded in all its operations by regular and ascertained forms. This dangerous right was not only claimed, but exercised. In the year 1287 the Aragonese formed a union in opposition to Alfonso III., and obliged that king not only to comply with their demands, but to ratify a privilege so fatal to the power of the crown. (Zurita, Anales, tom. i. p. 322.) In the year 1347 a union was formed against Peter IV. with equal success, and a new ratification of the privilege was extorted. (Zurita, tom. ii. p. 202.) But soon after, the king having defeated the leaders of the union in battle, the privilege of union was finally abrogated in the cortes, and all the laws or records which contained any confirmation of it were cancelled or destroyed. The king, in presence of the cortes, called for the act whereby he had ratified the union, and, having wounded his hand with his poniard, he held it above the record. "That privilege," says he, "which has been so fatal to the kingdom, and so injurious to royalty, should be effaced with the blood of a king." (Zurita, tom. ii. p. 229.) The law abolishing the union is published, Fueros y Observancias, lib. ix. p. 178. From that period the justiza became the constitutional guardian of public liberty, and his power and jurisdiction occasioned none of those violent convulsions which the tumultuary privilege of the union was apt to produce. The constitution of Aragon, however, still remained extremely free. One source of this liberty arose from the early admission of the representatives of cities into the cortes. It seems probable from Zurita that burgesses were constituent members of the cortes from its first institution. He mentions a meeting of cortes, A.D. 1133, in which the *procuradores de las ciudades y villas* were present. (Tom. i. p. 51.) This is the constitutional language in which their presence is declared in the cortes, after the journals of that court were regularly kept. It is probable that an historian so accurate as Zurita would not have used these words if he had not taken them from some authentic record. It was more than a century after this period before the representatives of cities formed a constituent part in the supreme assemblies of the other European nations. The free spirit of the Aragonese government is conspicuous in many particulars. The cortes not only opposed the attempts of their kings to increase their revenue or to extend their prerogative, but they claimed rights and exercised powers which will appear extraordinary even in a country accustomed to the enjoyment of liberty. In the year 1286 the cortes claimed the privilege of naming the members of the king's council and the officers of his household, and they seem to have obtained it for some time. (Zurita, tom. i. pp. 303, 307.) It was the privilege of the cortes to name the officers who commanded the troops raised by their authority. This seems to be evident from a passage in Zurita. When the cortes, in the year 1503, raised a body of troops to be employed in Italy, it passed an act empowering the king to name the officers who should command them (Zurita, tom. v. p. 274); which plainly implies that without this warrant it did not belong to him in virtue of his prerogative. In the Fueros y Observancias del Reyno de Aragon, two general declarations of the rights and privileges of the Aragonese are published,—the one in the reign of Pedro I., A.D. 1283, and the other in that of James II., A.D. 1325. They are of such a length that I cannot insert them; but it is evident from these that not only the privileges of the nobility, but the rights of the people, personal as well as political, were at that period more extensive and better understood than in any kingdom in Europe. (Lib. i. pp. 7, 9.) The oath by which the king bound himself to observe those rights and liberties of the people was very solemn. (Ibid, p. 14, b, and p. 15.) The cortes of Aragon discovered not only the jealousy and vigilance which are peculiar to free states, in guarding the essential parts of the constitution, but they were scrupulously attentive to observe the most minute forms and ceremonies to which they were accustomed. According to the established laws and customs of Aragon, no foreigner had liberty to enter the hall in which the cortes assembled. Ferdinand, in the year 1481, appointed his queen, Isabella, regent of the kingdom while he was absent during the course of the campaign. The law required that a regent should take the oath of fidelity in

presence of the cortes; but, as Isabella was a foreigner, before she could be admitted the cortes thought it necessary to pass an act authorizing the serjeant-porter to open the door of the hall and to allow her to enter; "so attentive were they," says Zurita, "to observe their laws and forms, even such as may seem the most minute." Tom. iv. p. 313.

The Aragonese were no less solicitous to secure the personal rights of individuals than to maintain the freedom of the constitution; and the spirit of their statutes with respect to both was equally liberal. Two facts relative to this matter merit observation. By an express statute in the year 1335 it was declared to be unlawful to put any native Aragonese to the torture. If he could not be convicted by the testimony of witnesses, he was instantly absolved. (Zurita, tom. ii. p. 66.) Zurita records the regulation with the satisfaction natural to an historian when he contemplates the humanity of his countrymen. He compares the laws of Aragon to those of Rome, as both exempted citizens and freemen from such ignominious and cruel treatment and had recourse to it only in the trial of slaves. Zurita had reason to bestow such an encomium on the laws of his country. Torture was at that time permitted by the laws of every other nation in Europe. Even in England, from which the mild spirit of legislation has long banished it, torture was not at that time unknown. Observations on the Statutes, chiefly the more Ancient, etc., p. 66.

The other fact shows that the same spirit which influenced the legislature prevailed among the people. In the year 1485 the religious zeal of Ferdinand and Isabella prompted them to introduce the Inquisition into Aragon. Though the Aragonese were no less superstitiously attached than the other Spaniards to the Roman Catholic faith, and no less desirous to root out the seeds of error and of heresy which the Jews and Moors had scattered, yet they took arms against the inquisitors, murdered the chief inquisitor, and long opposed the establishment of that tribunal. The reason which they gave for their conduct was that the mode of trial in the Inquisition was inconsistent with liberty. The criminal was not confronted with the witnesses, he was not acquainted with what they deposed against him, he was subjected to torture, and the goods of persons condemned were confiscated. Zurita, Anales, tom. iv. p. 341.

The form of government in the kingdom of Valencia and principality of Catalonia, which were annexed to the crown of Aragon, was likewise extremely favourable to liberty. The Valencians enjoyed the privilege of *union* in the same manner with the Aragonese. But they had no magistrate resembling the justiza. The Catalonians were no less jealous of their liberties than the two other nations, and no less bold in asserting them. But it is not necessary for illustrating the following history to enter into any further detail concerning the peculiarities in the constitution of these kingdoms.

Note XXXIII.—Sect. III. p. 72.

I have searched in vain among the historians of Castile for such information as might enable me to trace the progress of laws and government in Castile, or to explain the nature of the constitution with the same degree of accuracy wherewith I have described the political state of Aragon. It is manifest, not only from the historians of Castile, but from its ancient laws, particularly the Fuero Juzgo, that its monarchs were originally elective. (Leyes, 2, 5, 8.) They were chosen by the bishops, the nobility, and the people. (Ibid.) It appears from the same venerable code of laws that the prerogative of the Castilian monarchs was extremely limited. Villaldiego, in his commentary on the Fuero Juzgo, produces many facts and authorities in confirmation of both these particulars. Dr. Geddes, who was well acquainted with Spanish literature, complains that he could find no author who gave a distinct account of the cortes or supreme assembly of the nation, or who described the manner in which it was held, or mentioned the precise number of members who had a right to sit in it. He produces, however, from Gil Gonzales d'Avila, who published a history of Henry II., the writ of summons to the town of Abula, requiring it to choose representatives to appear in the cortes which he called to meet A.D. 1390. From this we learn that prelates, dukes, marquises, the masters of the three military orders, condes, and *ricos hombres*, were required to attend. These composed the bodies of ecclesiastics and nobles, which formed two members of the legislature. The cities which sent members to that meeting of the cortes were forty-eight. The number of representatives (for the cities had right to choose more or fewer according to their respective dignity) amounted to a hundred and twenty-five. (Geddes, Miscellaneous Tracts, vol. i. p. 331.) Zurita, having occasion to mention the cortes which Ferdinand held at Toro, A.D. 1505, in order to secure for himself the government of Castile after the death of Isabella, records, with his usual accuracy, the names of the members present, and of the cities which they represented. From that list it appears that only eighteen cities had deputies in this assembly. (Anales de Aragon, tom. vi. p. 3.) What was the occasion of this great difference in the number of cities represented in these two meetings of the cortes, I am unable to explain.

Note XXXIV.—Sect. III. p. 73.

A great part of the territory in Spain was engrossed by the nobility. L. Marinæus Siculus, who composed his treatise De Rebus Hispaniæ during the reign of Charles V., gives a catalogue

of the Spanish nobility, together with the yearly rent of their estates. According to his account, which he affirms was as accurate as the nature of the subject would admit, the sum total of the annual revenue of their lands amounted to one million four hundred and eighty-two thousand ducats. If we make allowance for the great difference in the value of money in the fifteenth century from that which it now bears, and consider that the catalogue of Marinæus includes only the *titulados*, or nobility whose families were distinguished by some honorary title, their wealth must appear very great. (L. Marinæus, ap. Schott, Script. Hispan., vol. i. p. 323.) The commons of Castile, in their contests with the crown, which I shall hereafter relate, complain of the extensive property of the nobility as extremely pernicious to the kingdom. In one of their manifestoes they assert that from Valladolid to St. Jago in Galicia, which was a hundred leagues, the crown did not possess more than three villages. All the rest belonged to the nobility, and could be subjected to no public burden. (Sandoval, Vida del Emperador Carlos V., vol. i. p. 422.) It appears from the testimony of authors quoted by Bovadilla that these extensive possessions were bestowed upon the *ricos hombres*, *hidalgos*, and *caballeros* by the kings of Castile in reward for the assistance which they had received from them in expelling the Moors. They likewise obtained by the same means a considerable influence in the cities, many of which anciently depended upon the nobility. Politica para Corregidores, Amb., 1750, fol., vol. i. pp. 440, 442.

Note XXXV.—Sect. III. p. 74.

I have been able to discover nothing certain, as I observed, Note XVIII., with respect to the origin of communities or free cities in Spain. It is probable that as soon as the considerable towns were recovered from the Moors the inhabitants who fixed their residence in them, being persons of distinction and credit, had all the privilege of municipal government and jurisdiction conferred upon them. Many striking proofs occur of the splendour, wealth, and power of the Spanish cities. Hieronymus Paulus wrote a description of Barcelona in the year 1491, and compares the dimensions of the town to that of Naples, and the elegance of its buildings, the variety of its manufactures, and the extent of its commerce, to Florence. (Hieron. Paulus, ap. Schott., Script. Hisp., vol. ii. p. 844.) Marinæus describes Toledo as a large and populous city. A great number of its inhabitants were persons of quality and of illustrious rank. Its commerce was great. It carried on with great activity and success the manufactures of silk and wool; and the number of inhabitants employed in these two branches of trade amounted nearly to ten thousand. (Marin., ubi supra, p. 308.) "I know no city," says he, "that I would prefer to Valladolid for elegance and splendour." (Ibid., p. 312.) We may form some estimate of its populousness from the following circumstances. The citizens having taken arms in the year 1516 in order to oppose a measure concerted by Cardinal Ximenes, they mustered in the city, and in the territory which belonged to it, thirty thousand fighting-men. (Sandoval, Vida del Emper. Carlos V., tom. i. p. 81.) The manufactures carried on in the towns of Spain were not intended merely for home consumption; they were exported to foreign countries, and their commerce was a considerable source of wealth to the inhabitants. The maritime laws of Barcelona are the foundation of mercantile jurisprudence in modern times, as the Leges Rhodiæ were among the ancients. All the commercial states in Italy adopted these laws and regulated their trade according to them. (Sandi, Storia civile Veneziana, vol ii. p. 865.) It appears from several ordinances of the kings of France that the merchants of Aragon and Castile were received on the same footing and admitted to the same privileges with those of Italy. (Ordonnances des Roys, etc., tom. ii. p. 135, tom. iii. pp. 166, 504, 635.) Cities in such a flourishing state became a respectable part of the society, and were entitled to a considerable share in the legislature. The magistrates of Barcelona aspired to the highest honour a Spanish subject can enjoy, that of being covered in the presence of their sovereign, and of being treated as grandees of the kingdom. Origen de la Dignidad de Grande de Castilla, por Don Alonso Carillo, Madrid, 1657, p. 18.

Note XXXVI.—Sect. III. p. 75.

The military order of St. Jago, the most honourable and opulent of the three Spanish orders, was instituted about the year 1170. The bull of confirmation by Alexander III. is dated A.D. 1176. At that time a considerable part of Spain still remained under subjection to the Moors, and the whole country was much exposed to depredations not only of the enemy, but of banditti. It is no wonder, then, that an institution the object of which was to oppose the enemies of the Christian faith, and to restrain and punish those who disturbed the public peace, should be extremely popular and meet with general encouragement. The wealth and power of the order became so great that, according to one historian, the Grand Master of St. Jago was the person in Spain of greatest power and dignity next to the king. (Æl. Anton. Nebrissensis, ap. Schott., Script. Hisp., i. 812.) Another historian observes that the order possessed everything in Castile that a king would most desire to obtain. (Zurita, Anales, v. 22.) The knights took the vows of obedience, of poverty, and of conjugal chastity. By the former they were

bound implicitly to obey the commands of their grand master. The order could bring into the field a thousand men-at-arms. (Æl. Ant. Nebriss., p. 813.) If, as we have reason to believe, these men-at-arms were accompanied as was usual at that age, this was a formidable body of cavalry. There belonged to this order eighty-four commanderies, and two hundred priories and other benefices. (Dissertations sur la Chevalerie, par Hon. de Ste. Marie, p. 262.) It is obvious how formidable to his sovereign the command of these troops, the administration of such revenues, and the disposal of so many offices must have rendered a subject. The other two orders, though inferior to that of St. Jago in power and wealth, were nevertheless very considerable fraternities. When the conquest of Granada deprived the knights of St. Jago of those enemies against whom their zeal was originally directed, superstition found out a new object in defence of which they engaged to employ their courage. To their usual oath they added the following clause: "We do swear to believe, to maintain, and to contend in public and private, that the Virgin Mary, the Mother of God, our Lady, was conceived without the stain of original sin." This addition was made about the middle of the seventeenth century. (Honoré de Ste. Marie, Dissertations, etc., p. 263.) Nor is such a singular engagement peculiar to the order of St. Jago. The members of the second military order in Spain, that of Calatrava, equally zealous to employ their prowess in defence of the honours of the Blessed Virgin, have likewise professed themselves her true knights. Their vow, conceived in terms more theologically accurate than that of St. Jago, may afford some amusement to an English reader. "I vow to God, to the grand master, and to you who here represent his person, that now, and for ever, I will maintain and contend that the Virgin Mary, Mother of God, our Lady, was conceived without original sin, and never incurred the pollution of it; but that in the moment of her happy conception, and of the union of her soul with her body, the Divine grace prevented and preserved her from original guilt, by the merits of the passion and death of Christ, our Redeemer, her future Son, foreseen in the Divine counsel, by which she was truly redeemed, and by a more noble kind of redemption than any of the children of Adam. In the belief of this truth, and in maintaining the honour of the most Holy Virgin, through the strength of Almighty God, I will live and will die." (Definiciones de la Orden de Calatrava, conforme al Capitulo General en 1652, fol., Madr., 1748, p. 153.) Though the Church of Rome hath prudently avoided to give its sanction to the doctrine of the immaculate conception, and the two great monastic orders of St. Dominic and St. Francis have espoused opposite opinions concerning it, the Spaniards are such ardent champions for the honour of the Virgin that when the present king of Spain instituted a new military order in the year 1771, in commemoration of the birth of his grandson, he put it under the immediate protection of the most Holy Mary in the mystery of her immaculate conception. (Constituciones de la real y distinguida Orden Española de Carlos III., p. 7.) To undertake the defence of the Virgin Mary's honour had such a resemblance to that species of refined gallantry which was the original object of chivalry, that the zeal with which the military orders bound themselves, by a solemn vow, to defend it, was worthy of a true knight in those ages when the spirit of the institution subsisted in full vigour. But in the present age it must excite some surprise to see the institution of an illustrious order connected with a doctrine so extravagant and destitute of any foundation in Scripture.

Note XXXVII.—Sect. III. p. 76.

I have frequently had occasion to take notice of the defects in police during the Middle Ages, occasioned by the feebleness of government and the want of proper subordination among the different ranks of men. I have observed in a former note that this greatly interrupted the intercourse between nations, and even between different places in the same kingdom. The descriptions which the Spanish historians give of the frequency of rapine, murder, and every act of violence, in all the provinces of Spain, are amazing, and present to us the idea of a society but little removed from the disorder and turbulence of that which has been called a state of nature. (Zurita, Anales de Arag., i. 175; Æl. Ant. Nebrissensis, Rer. a Ferdin. Gestar. Hist., ap. Schottum, ii. 849.) Though the excess of these disorders rendered the institution of the *santa hermandad* necessary, great care was taken at first to avoid giving any offence or alarm to the nobility. The jurisdiction of the judges of the hermandad was expressly confined to crimes which violated the public peace. All other offences were left to the cognizance of the ordinary judges. If a person was guilty of the most notorious perjury, in any trial before a judge of the hermandad, he could not punish him, but was obliged to remit the case to the ordinary judge of the place. (Commentaria in Regias Hispan. Constitut., per Alph. de Azevedo, pars v. p. 223, etc., fol., Duaci, 1612.) Notwithstanding these restrictions, the barons were early sensible how much the establishment of the hermandad would encroach on their jurisdiction. In Castile some opposition was made to the institution; but Ferdinand had the address to obtain the consent of the constable to the introduction of the hermandad into that part of the kingdom where his estate lay; and by that means, as well as the popularity of the institution, he surmounted every obstacle that stood in its way. (Æl. Ant. Nebrissen., 851.) In Aragon the nobles combined against it with great spirit; and Ferdinand, though he supported it with vigour, was obliged to make some concessions in order to reconcile them. (Zurita, Anales de Arag., iv. 356.)

The power and revenue of the hermandad in Castile seem to have been very great. Ferdinand, when preparing for the war against the Moors of Granada, required of the hermandad to furnish him sixteen thousand beasts of burden, together with eight thousand men to conduct them, and he obtained what he demanded. (Æl. Ant. Nebriss., 881.) The hermandad has been found to be of so much use in preserving peace and restraining or detecting crimes that it is still continued in Spain; but, as it is no longer necessary either for moderating the power of the nobility or extending that of the crown, the vigour and authority of the institution diminish gradually.

Note XXXVIII.—Sect. III. p. 77.

Nothing is more common among antiquaries, and there is not a more copious source of error, than to decide concerning the institutions and manners of past ages by the forms and ideas which prevail in their own times. The French lawyers in the seventeenth and eighteenth centuries, having found their sovereigns in possession of absolute power, seem to think it a duty incumbent on them to maintain that such unbounded authority belonged to the crown in every period of their monarchy. "The government of France," says M. de Réal, very gravely, "is purely monarchical at this day, as it was from the beginning. Our kings were absolute originally, as they are at present." (Science du Gouvernement, tom. ii. p. 31.) It is impossible, however, to conceive two states of civil society more unlike to each other than that of the French nation under Clovis and that under Louis XV. It is evident from the codes of laws of the various tribes which settled in Gaul and the countries adjacent to it, as well as from the history of Gregory of Tours, and other early annalists, that among all these people the form of government was extremely rude and simple, and that they had scarcely begun to acquire the first rudiments of that order and police which are necessary in extensive societies. The king or leader had the command of soldiers or companions, who followed his standard from choice, not by constraint. I have produced the clearest evidence of this, Note VI. An event related by Gregory of Tours, lib. iv. c. 14, affords the most striking proof of the dependence of the early French kings on the sentiments and inclination of their people. Clotaire I. having marched at the head of his army, in the year 553, against the Saxons, that people, intimidated at his approach, sued for peace, and offered to pay a large sum to the offended monarch. Clotaire was willing to close with what they proposed. But his army insisted to be led forth to battle. The king employed all his eloquence to persuade them to accept of what the Saxons were ready to pay. The Saxons, in order to soothe them, increased their original offer. The king renewed his solicitations; but the army, enraged, rushed upon the king, tore his tent in pieces, dragged him out of it, and would have slain him on the spot, if he had not consented to lead them instantly against the enemy.

If the early monarchs of France possessed such limited authority, even while at the head of their army, their prerogative during peace will be found to be still more confined. They ascended the throne not by any hereditary right, but in consequence of the election of their subjects. In order to avoid an unnecessary number of quotations, I refer my readers to Hottomanni Franco-Gallia, cap. vi. p. 47, edit. 1573, where they will find the fullest proof of this from Gregory of Tours, Amoinus, and the most authentic historians of the Merovingian kings. The effect of this election was not to invest them with absolute power. Whatever related to the general welfare of the nation was submitted to public deliberation, and determined by the suffrage of the people, in the annual assemblies called "les champs de Mars" and "les champs de Mai." These assemblies were called *champs*, because, according to the custom of all the barbarous nations, they were held in the open air, in some plain capable of containing the vast number of persons who had a right to be present. (Jo. Jac. Sorberus de Comitiis Veterum Germanorum, vol. i. § 19, etc.) They were denominated Champs de Mars and de Mai, from the months in which they were held. Every freeman seems to have had a right to be present in these assemblies. (Sorberus, ibid., § 153, etc.) The ancient annals of the Franks describe the persons who were present in the assembly held A.D. 788, in these words: "In placito Ingelheimensi conveniunt pontifices, majores, minores, sacerdotes, reguli, duces, comites, præfecti, civis, oppidani." (Apud Sorber., § 304.) There everything that concerned the happiness of their country, says an ancient historian, everything that could be of benefit to the Franks, was considered and enjoined. (Fredegarius, ap. Du Cange, Glossar., voc. *Campus Martii*.) Chlotharius II. describes the business and acknowledges the authority of these assemblies. "They are called," says he, "that whatever relates to the common safety may be considered and resolved by common deliberation; and whatever they determine, to that I will conform." (Amoinus de Gest. Franc., lib. iv. c. i., ap. Bouquet, Recueil, iii. 116.) The statutory clauses or words of legislative authority in the decrees issued in these assemblies run not in the name of the king alone. "We have treated," says Childebert, in a decree, A.D. 532, in the assembly of March, "together with our nobles, concerning some affairs, and we now publish the conclusion, that it may come to the knowledge of all." (Childeb. Decret., ap. Bouquet, Recueil des Histor., tom. iv. p. 3.) "We have agreed together with our vassals." (Ibid., § 2.) "It is agreed in the assembly in which we are all united." (Ibid., § 4.) The Salic laws, the most venerable monument of French jurisprudence, were enacted in the same manner. "Dictaverunt Salicam

legem proc res ipsius gentis, qui tunc temporis apud eam erant rectores. Sunt autem electi de pluribus viri quatuor—qui per tres Mallos convenientes, omnes causarum origines solicite discurrendo, tractantes de singulis, judicium decreverunt hoc modo." (Præf. Leg. Salic., ap. Bouquet, ibid., p. 122.) "Hoc decretum est apud regem et principes ejus, et apud cunctum populum christianum, qui intra regnum Merwingorum consistunt." (Ibid., p. 124.) Nay, even in their charters the kings of the first race are careful to specify that they were granted with the consent of their vassals. "Ego Childebertus, rex, una cum consensu et voluntate Francorum," etc., A.D. 558. (Bouquet, ibid., 622.) "Chlotharius III. una cum patribus nostris, episcopis, optimatibus, caterisque palatii nostri ministris," A.D. 664. (Ibid., 648.) "De consensu fidelium nostrorum." (Mably, Observ., tom. i. p. 239.) The historians likewise describe the functions of the king in the national assemblies in such terms as imply that his authority there was extremely small, and that everything depended on the court itself. "Ipse rex," says the author of Annales Francorum, speaking of the Field of March, "sedebat in sella regia, circumstante exercitu, præcipiebatque is, die illo quicquid a Francis decretum erat." Bouquet, Recueil, tom. ii. p. 647.

That the general assemblies exercised supreme jurisdiction over all persons and with respect to all causes is so evident as to stand in need of no proof. The trial of Brunehaut, A.D. 613, how unjust soever the sentence against her may be, as related by Fredegarius (Chron., cap. 42, Bouquet, ibid., 430), is in itself sufficient proof of this. The notorious violence and iniquity of the sentence serve to demonstrate the extent of jurisdiction which this assembly possessed, as a prince so sanguinary as Clothaire II. thought the sanction of its authority would be sufficient to justify his rigorous treatment of the mother and grandmother of so many kings.

With respect to conferring donatives on the prince, we may observe that among nations whose manners and political institutions are simple, the public, as well as individuals, having few wants, they are little acquainted with taxes, and free uncivilized tribes disdain to submit to any stated imposition. This was remarkably the case of the Germans, and of all the various people that issued from that country. Tacitus pronounces two tribes not to be of German origin, because they submitted to pay taxes. (De Morib. Germ., c. 43.) And, speaking of another tribe according to the ideas prevalent in Germany, he says, "They were not degraded by the imposition of taxes." (Ibid., c. 29.) Upon the settlement of the Franks in Gaul we may conclude that, while elated with the consciousness of victory, they would not renounce the high-spirited ideas of their ancestors or voluntarily submit to a burden which they regarded as a badge of servitude. The evidence of the earliest records and historians justifies this conclusion. M. de Montesquieu, in the twelfth and subsequent chapters of the thirteenth book of L'Esprit des Loix, and M. de Mably, Observations sur l'Histoire de France, tom. i. p. 247, have investigated this fact with great attention, and have proved clearly that the property of freemen among the Franks was not subject to any stated tax; that the state required nothing from persons of this rank but military service at their own expense and that they should entertain the king in their houses when he was upon any progress through his dominions, or his officers when sent on any public employment, furnishing them with carriages and horses. Monarchs subsisted almost entirely upon the revenues of their own domains, and upon the perquisites arising from the administration of justice, together with a few small fines and forfeitures exacted from such as had been guilty of certain trespasses. It is foreign from my subject to enumerate these. The reader may find them in Observations de M. de Mably, vol. i. p. 267.

When any extraordinary aid was granted by freemen to their sovereign it was purely voluntary. In the annual assembly of March or May it was the custom to make the king a present of money, of horses or arms, or of some other thing of value. This was an ancient custom, and derived from their ancestors the Germans. "Mos est civitatibus, ultro ac viritim conferre principibus, vel armentorum, vel frugum, quod pro honore acceptum, etiam necessitatibus subvenit." (Tacit., de Mor. Germ., c. 15.) These gifts, if we may form a judgment concerning them from the general terms in which they are mentioned by the ancient historians, were considerable, and made no small part of the royal revenue. Many passages to this purpose are produced by M. Du Cange, Dissert. IV. sur Joinville, p. 153. Sometimes a conquered people specified the gift which they bound themselves to pay annually, and it was exacted as a debt if they failed. (Anales Metenses, ap. Du Cange, ibid., p. 155.) It is probable that the first step towards taxation was to ascertain the value of these gifts, which were originally gratuitous, and to compel the people to pay the sum at which they were rated. Still, however, some memory of their original was preserved, and the aids granted to monarchs in all the kingdoms of Europe were termed *benevolences* or *free gifts*.

The kings of the second race in France were raised to the throne by the election of the people. "Pepinus rex pius," says an author who wrote a few years after the transaction which he records, "per authoritatem papæ, et unctionem sancti chrismatis et electionem omnium Francorum in regni solio sublimatus est." (Clausula de Pepini Consecratione, ap. Bouq., Recueil des Histor., tom. v. p. 9.) At the same time, as the chief men of the nation had transferred the crown from one family to another, an oath was exacted of them that they should maintain on the throne the family which they had now promoted: "ut nunquam de alterius lumbis regem in ævo præsumant eligere." (Ibid., p. 10.) This oath the nation faithfully observed during a considerable space of time. The posterity of Pepin kept possession of the

throne; but with respect to the manner of dividing their dominions among their children, princes were obliged to consult the general assembly of the nation. Thus, Pepin himself, A.D. 768, appointed his two sons, Charles and Carlomannus, to reign as joint sovereigns; but he did this "una cum consensu Francorum et procerum suorum seu et episcoporum," before whom he laid the matter in their general assembly. (Conventus apud Sanctum Dionysium, Capitular., vol. i. p. 187.) This destination the French confirmed in a subsequent assembly, which was called upon the death of Pepin; for, as Eginhart relates, they not only appointed them kings, but by their authority they regulated the limits of their respective territories. (Vita Car. Magni, ap. Bouquet, Recueil, tom. v. p. 90.) In the same manner, it was by the authority of the supreme assemblies that any dispute which arose among the descendants of the royal family was determined. Charlemagne recognizes this important part of their jurisdiction, and confirms it, in his charter concerning the partition of his dominions; for he appoints that, in case of any uncertainty with respect to the right of the several competitors, he whom the people choose shall succeed to the crown. Capitular., vol. i. p. 442.

Under the second race of kings, the assemblies of the nation, distinguished by the name of *conventus, malli, placita,* were regularly assembled once a year at least, and frequently twice in the year. One of the most valuable monuments of the history of France is the treatise of Hincmarus, archbishop of Rheims, De Ordine Palatii. He died A.D. 882, only sixty-eight years after Charlemagne, and he relates in that short discourse the facts which were communicated to him by Adalhardus, a minister and confidant of Charlemagne. From him we learn that this great monarch never failed to hold the general assembly of his subjects every year. "In quo placito generalitas universorum majorum tam clericorum quam laicorum conveniebat." (Hincm., Oper., edit. Sirmondi, vol. ii. c. 29, p. 211.) In these assemblies matters which related to the general safety and state of the kingdom were always discussed before they entered upon any private or less important business. (Ibid., c. 33, p. 213.) His immediate successors imitated his example, and transacted no affair of importance without the advice of their great council.

Under the second race of kings the genius of the French government continued to be in a good measure democratical. The nobles, the dignified ecclesiastics, and the great officers of the crown were not the only members of the national council; the people, or the whole body of freemen, either in person or by their representatives, had a right to be present in it. Hincmarus, in describing the manner of holding the general assemblies, says that if the weather was favourable they met in the open air; but if otherwise, they had different apartments allotted to them; so that the dignified clergy were separated from the laity, and the "comites vel hujusmodi principes sibimet honorificabiliter a cætera multitudine segregarentur." (Ibid., c. 35, p. 114.) Agobardus, archbishop of Lyons, thus describes a national council in the year 833, wherein he was present: "Qui ubique conventus extitit ex reverendi-simis episcopis, et magnificentissimis viris illustribus, collegio quoque abbatum et comitum, promiscuæque ætatis et dignitatis populo." The *cætera multitudo* of Hincmarus is the same with the *populus* of Agobardus, and both describe the inferior order of freemen, the same who were afterwards known in France by the name of the third estate, and in England by the name of commons. The people, as well as the members of higher dignity, were admitted to a share of the legislative power. Thus, by a law, A.D. 803, it is ordained "That the question shall be put to the people with respect to every new law, and if they shall agree to it they shall confirm it by their signature." (Capit., vol. i. p 391.) There are two capitularia which convey to us a full idea of the part which the people took in the administration of government. When they felt the weight of any grievance, they had a right to petition the sovereign for redress. One of these petitions, in which they desire that ecclesiastics might be exempted from bearing arms and from serving in person against the enemy, is still extant. It is addressed to Charlemagne, A.D. 803, and expressed in such terms as could have been used only by men conscious of liberty and of the extensive privileges which they possessed. They conclude with requiring him to grant their demand if he wished that they should any longer continue faithful subjects to him. That great monarch, instead of being offended or surprised at the boldness of their petition, received it in a most gracious manner, and signified his willingness to comply with it. But, sensible that he himself did not possess legislative authority, he promises to lay the matter before the next general assembly, that such things as were of common concern to all might be there considered and established by common consent. (Capitul., tom. i. pp. 405–409.) As the people by their petitions brought matters to be proposed in the general assembly, we learn from another capitulare the form in which they were approved there and enacted as laws. The propositions were read aloud, and then the people were required to declare whether they assented to them or not. They signified their assent by crying three times, "We are satisfied;" and then the capitulare was confirmed by the subscription of the monarch, the clergy, and the chief men of the laity. (Capitul., tom. i. p. 627, A.D. 822.) It seems probable from a capitulare of Carolus Calvus, A.D. 851, that the sovereign could not refuse his assent to what was proposed and established by his subjects in the general assembly. (Tit. ix. § 6; Capitul., vol. ii. p. 47.) It is unnecessary to multiply quotations concerning the legislative power of the national assembly of France under the second race, or concerning its right to determine with regard to peace and war. The uniform style of the Capitularia is an abundant confirmation of the former. The

reader who desires any further information with respect to the latter may consult Les Origines ou l'ancien Gouvernement de la France, etc., tom. iii. p. 87, etc. What has been said with respect to the admission of the people or their representatives into the supreme assembly merits attention, not only in tracing the progress of the French government, but on account of the light which it throws upon a similar question agitated in England concerning the time when the commons became part of the legislative body in that kingdom.

Note XXXIX.—Sect. III. p. 78.

That important change which the constitution of France underwent when the legislative power was transferred from the great council of the nation to the king has been explained by the French antiquaries with less care than they bestow in illustrating other events in their history. For that reason I have endeavoured with greater attention to trace the steps which led to this memorable revolution. I shall here add some particulars which tend to throw additional light upon it. The Leges Salicæ, the Leges Burgundionum, and other codes published by the several tribes which settled in Gaul were general laws extending to every person, to every province and district where the authority of those tribes was acknowledged. But they seem to have become obsolete; and the reason of their falling into disuse is very obvious. Almost the whole property of the nation was allodial when these laws were framed. But when the feudal institutions became general, and gave rise to an infinite variety of questions peculiar to that species of tenure, the ancient codes were of no use in deciding with regard to these, because they could not contain regulations applicable to cases which did not exist at the time when they were compiled. This considerable change in the nature of property made it necessary to publish the new regulations contained in the *capitularia*. Many of these, as is evident from the perusal of them, were public laws extending to the whole French nation, in the general assembly of which they were enacted. The weakness of the greater part of the monarchs of the second race, and the disorder into which the nation was thrown by the depredations of the Normans, encouraged the barons to usurp an independent power formerly unknown in France. The nature and extent of that jurisdiction which they assumed I have formerly considered. The political union of the kingdom was at an end, its ancient constitution was dissolved, and only a feudal relation subsisted between the king and his vassals. The regal jurisdiction extended no further than the domains of the crown. Under the last kings of the second race these were reduced almost to nothing. Under the first kings of the third race they comprehended little more than the patrimonial estate of Hugh Capet, which he annexed to the crown. Even with this accession they continued to be of small extent. (Velly, Hist. de France, tom. iii. p. 32.) Many of the most considerable provinces in France did not at first acknowledge Hugh Capet as a lawful monarch. There are still extant several charters, granted during the first years of his reign, with this remarkable clause in the form of dating the charter: "Deo regnante, rege expectante, regnante Domino nostro Jesu Christo Francis autem contra jus regnum usurpante Ugone rege." (Bouquet, Recueil, tom. x. p. 544.) A monarch whose title was thus openly disputed was not in a condition to assert the royal jurisdiction or to limit that of the barons.

All these circumstances rendered it easy for the barons to usurp the rights of royalty within their own territories. The Capitularia became no less obsolete than the ancient laws; local customs were everywhere introduced, and became the sole rule by which all civil transactions were conducted and all causes were tried. The wonderful ignorance which became general in France during the ninth and tenth centuries contributed to the introduction of customary law. Few persons, except ecclesiastics, could read; and as it was not in the power of such illiterate persons to have recourse to written laws, either as their guide in business or their rule in administering justice, the customary law, the knowledge of which was preserved by tradition, universally prevailed.

During this period the general assembly of the nation seems not to have been called, nor to have once exerted its legislative authority. Local customs regulated and decided everything. A striking proof of this occurs in tracing the progress of the French jurisprudence. The last of the Capitularia collected by M. Baluze was issued in the year 921, by Charles the Simple. A hundred and thirty years elapsed from that period to the publication of the first ordinance of the kings of the third race, contained in the great collection of M. Laurière, and the first ordinance which appears to be an act of legislation extending to the whole kingdom is that of Philip Augustus, A.D. 1190. (Ordon., tom. i. pp. 1, 18.) During that long period of two hundred and sixty-nine years all transactions were directed by local customs, and no addition was made to the statutory law of France. The ordinances previous to the reign of Philip Augustus contain regulations the authority of which did not extend beyond the king's domains.

Various instances occur of the caution with which the kings of France ventured at first to exercise legislative authority. M. l'Abbé de Mably produces an ordinance of Philip Augustus, A.D. 1206, concerning the Jews, who in that age were in some measure the property of the lord in whose territories they resided. But it is rather a treaty of the king with the countess of Champagne and the Comte de Dampierre, than an act of royal power; and the regulations in it seem to be established not so much by his authority as by their consent. (Observat. sur l'Hist. de France, ii. p. 355.) In the same manner an ordinance of Louis VIII. concerning the

Jews, A.D. 1223, is a contract between the king and his nobles with respect to their manner of treating that unhappy race of men. (Ordon., tom. i. p. 47.) The Establissemens of St. Louis, though well adapted to serve as general laws to the whole kingdom, were not published as such, but only as a complete code of customary law, to be of authority within the king's domains. The wisdom, the equity, and the order conspicuous in that code of St. Louis procured it a favourable reception throughout the kingdom. The veneration due to the virtues and good intentions of its author contributed not a little to reconcile the nation to that legislative authority which the king began to assume. Soon after the reign of St. Louis, the idea of the king's possessing supreme legislative power became common. "If," says Beaumanoir, "the king makes any establishment specially for his own domain, the barons may nevertheless adhere to their ancient customs; but if the establishment be general it shall be current throughout the whole kingdom, and we ought to believe that such establishments are made with mature deliberation, and for the general good." (Coust. de Beauvoisis, c. 48, p. 265.) Though the kings of the third race did not call the general assembly of the nation during the long period from Hugh Capet to Philip the Fair, yet they seem to have consulted the bishops and barons who happened to be present in their court, with respect to any new law which they published. Examples of this occur, Ordon, tom. i. p. 3 et 5. This practice seems to have continued as late as the reign of St. Louis, when the legislative authority of the crown was well established. (Ordon., tom. i. p. 58, A.D. 1246.) This attention paid to the barons facilitated the kings' acquiring such full possession of the legislative power as enabled them afterwards to exercise it without observing that formality.

The assemblies distinguished by the name of the states-general were first called A.D. 1302, and were held occasionally from that period to the year 1614, since which time they have not been summoned. These were very different from the ancient assemblies of the French nation under the kings of the first and second race. There is no point with respect to which the French antiquaries are more generally agreed than in maintaining that the states-general had no suffrage in the passing of laws and possessed no proper legislative jurisdiction. The whole tenor of the French history confirms this opinion. The form of proceeding in the states-general was this. The king addressed himself, at opening the meeting, to the whole body assembled in one place, and laid before them the affairs on account of which he had summoned them. Then the deputies of each of the three orders, of nobles, of clergy, and of the third estate, met apart, and prepared their *cahier*, or memorial, containing their answer to the propositions which had been made to them, together with the representations which they thought proper to lay before the king. These answers and representations were considered by the king in his council, and generally gave rise to an ordinance. These ordinances were not addressed to the three estates in common. Sometimes the king addressed an ordinance to each of the estates in particular. Sometimes he mentioned the assembly of the three estates. Sometimes mention is made only of the assembly of that estate to which the ordinance is addressed. Sometimes no mention at all is made of the assembly of estates, which suggested the propriety of enacting the law. Préface au tom. iii. des Ordon., p. xx.

Thus the states-general had only the privilege of advising and remonstrating; the legislative authority resided in the king alone.

Note XL.—Sect. III. p. 80.

If the parliament of Paris be considered only as the supreme court of justice, everything relative to its origin and jurisdiction is clear and obvious. It is the ancient court of the king's palace, new-modelled, rendered stationary, and invested with an extensive and ascertained jurisdiction. The power of this court while employed in this part of its functions is not the object of present consideration. The pretensions of the parliament to control the exercise of the legislative authority, and its claim of a right to interpose with respect to public affairs and the political administration of the kingdom, lead to inquiries attended with great difficulty. As the officers and members of the parliament of Paris were anciently nominated by the king, were paid by him, and on several occasions were removed by him at pleasure (Chronic. scandaleuse de Louis XI. chez les Mém. de Comines, tom. ii. p. 51, édit. de M. Lenglet de Fresnoy), they cannot be considered as representatives of the people, nor could they claim any share in the legislative power as acting in their name. We must therefore search for some other source of this high privilege. 1. The parliament was originally composed of the most eminent persons in the kingdom. The peers of France, ecclesiastics of the highest order, and noblemen of illustrious birth, were members of it, to whom were added some clerks and councillors learned in the laws. (Pasquier, Recherches, p. 44, etc., Encyclopédiee, tom. xii., art. *Parlement*, pp. 3, 5.) A court thus constituted was properly a committe of the states-general of the kingdom, and was composed of those barons and *fideles* whom the kings of France were accustomed to consult with regard to every act of jurisdiction or legislative authority. It was natural, therefore, during the intervals between the meetings of the states-general, or during those periods when that assembly was not called, to consult the parliament, to lay matters of public concern before it, and to obtain its approbation and concurrence, before any ordinance was published,

to which the people were required to conform. 2. Under the second race of kings, every new law was reduced into proper form by the chancellor of the kingdom, was proposed by him to the people, and, when enacted, was committed to him to be kept among the public records, that he might give authentic copies of it to all who should demand them. (Hincm., de Ord. Palat., c. 16; Capitul. Car. Calv., tit. xiv. § 11, tit. xxxiii.) The chancellor presided in the parliament of Paris at its first institution. (Encyclopédie, tom. iii., art. *Chancelier*, p. 88.) It was, therefore, natural for the king to continue to employ him in his ancient functions of framing, taking into his custody, and publishing the ordinances which were issued. To an ancient copy of the Capitularia of Charlemagne the following words are subjoined: "Anno tertio clementissimi domini nostri Caroli Augusti, sub ipso anno, hæc facta Capitula sunt, et consignata Stephano comiti, ut hæc manifesta faceret Parisiis mallo publico, et illa legere faceret coram scabineis, quod ita et fecit, et omnes in uno consenserunt, quod ipsi voluissent observare usque in posterum, etiam omnes scabinei, episcopi, abbates, comites, manu propria subter signaverunt." (Bouquet, Recueil, tom. v. p. 663.) *Mallus* signifies not only the public assembly of the nation, but the court of justice held by the comes, or missus dominicus. *Scabinei* were the judges, or the assessors of the judges, in that court. Here, then, seems to be a very early instance not only of laws being published in a court of justice, but of their being verified or confirmed by the subscription of the judges. If this was the common practice, it naturally introduced the veritying of edicts in the parliament of Paris. But this conjecture I propose with that diffidence which I have felt in all my reasonings concerning the laws and institutions of foreign nations. 3. This supreme court of justice in France was dignified with the appellation of parliament, the name by which the general assembly of the nation was distinguished towards the close of the second race of kings; and men, both in reasoning and in conduct, were wonderfully influenced by the similarity of names. The preserving the ancient names of the magistrates established while the republican government subsisted in Rome enabled Augustus and his successors to assume new powers with less observation and greater ease. The bestowing the same name in France upon two courts which were extremely different contributed not a little to confound their jurisdictions and functions.

All these circumstances concurred in leading the kings of France to avail themselves of the parliament of Paris as the instrument of reconciling the people to the exercise of legislative authority by the crown. The French, accustomed to see all new laws examined and authorized before they were published, did not sufficiently distinguish between the effect of performing this in the national assembly or in a court appointed by the king. But as that court was composed of respectable members, and who were well skilled in the laws of their country, when any new edict received its sanction, that was sufficient to dispose the people to submit to it.

When the practice of *verifying* and *registering* the royal edicts in the parliament of Paris became common, the parliament contended that this was necessary in order to give them legal authority. It was established as a fundamental maxim in French jurisprudence that no law could be published in any other manner; that without this formality no edict or ordinance could have any effect; that the people were not bound to obey it, and ought not to consider it as an edict or ordinance, until it was verified in the supreme court after free deliberation. (Roche-flavin des Parlemens de France, 4to, Gen., 1621, p. 921.) The parliament, at different times, hath, with great fortitude and integrity, opposed the will of their sovereigns, and, notwithstanding their repeated and peremptory requisitions and commands, hath refused to verify and publish such edicts as it conceived to be oppressive to the people or subversive of the constitution of the kingdom. Roche-flavin reckons that between the year 1562 and the year 1589 the parliament refused to verify more than a hundred edicts of the kings. (Ibid., 925.) Many instances of the spirit and constancy with which the parliaments of France opposed pernicious laws and asserted their own privileges are enumerated by Limnæus in his Notitiæ Regni Franciæ, lib. i. c. 9, p. 224.

But the power of the parliament to maintain and defend this privilege bore no proportion to its importance, or to the courage with which the members asserted it. When any monarch was determined that an edict should be carried into execution, and found the parliament inflexibly resolved not to verify or publish it, he could easily supply this defect by the plenitude of his regal power. He repaired to the parliament in person, he took possession of his seat of justice, and commanded the edict to be read, verified, registered, and published in his presence. Then, according to another maxim of French law, the king himself being present, neither the parliament nor any magistrate whatever can exercise any authority or perform any function. "Adveniente principe, cessat magistratus." (Roche-flavin, ibid., pp. 928, 929; Encyclopédie, tom. ix., art. *Lit. de Justice*, p. 581.) Roche-flavin mentions several instances of kings who actually exerted this prerogative, so fatal to the residue of the rights and liberties transmitted to the French by their ancestors. Pasquier produces some instances of the same kind. (Rech., p 61.) Limnæus enumerates many other instances; but the length to which this note has swelled prevents me from inserting them at length, though they tend greatly to illustrate this important article in the French history (p. 245). Thus, by an exertion of prerogative which, though violent, seems to be constitutional, and is justified by innumerable precedents, all the efforts of the parliament to limit and control the king's legislative authority are rendered ineffectual.

I have not attempted to explain the constitution or jurisdiction of any parliament in France but that of Paris. All of them are formed upon the model of that most ancient and respectable tribunal, and all my observations concerning it will apply with full force to them.

Note XLI.—Sect. III. p. 82.

The humiliating posture in which a great emperor implored absolution is an event so singular that the words in which Gregory himself describes it merit a place here, and convey a striking picture of the arrogance of that pontiff: "Per triduum, ante portam castri, deposito omni regio cultu, miserabiliter, utpote discalceatus, et laneis indutus, persistens, non prius cum multo fletu apostolicæ miserationis auxilium et consolationem implorari destitit, quam omnes qui ibi aderant, et ad quos rumor ille pervenit, ad tantam pietatem, et compassionis misericordiam movit, ut pro eo multis precibus et lacrymis intercedentes, omnes quidem insolitam nostræ mentis duritiem mirarentur; nonnulli vero in nobis non apostolicæ sedis gravitatem, sed quasi tyrannicæ feritatis crudelitatem esse clamârunt." Epist. Gregor., ap. Memorie della Contessa Matilda da Fran. Mar. Fiorentini, Lucca, 1756, vol. i. p. 174.

Note XLII.—Sect. III. p. 86.

As I have endeavoured in the history to trace the various steps in the progress of the constitution of the empire, and to explain the peculiarities in its policy very fully, it is not necessary to add much by way of illustration. What appears to be of any importance I shall range under distinct heads.

1. With respect to the power, jurisdiction, and revenue of the emperors. A very just idea of these may be formed by attending to the view which Pfeffel gives of the rights of the emperors at two different periods. The first at the close of the Saxon race, A.D. 1024. These, according to his enumeration, were the right of conferring all the great ecclesiastical benefices in Germany; of receiving the revenues of them during a vacancy; of mortmain, or of succeeding to the effects of ecclesiastics who died intestate. The right of confirming or of annulling the elections of the popes. The right of assembling councils, and of appointing them to decide concerning the affairs of the Church. The right of conferring the title of king upon their vassals. The right of granting vacant fiefs. The right of receiving the revenues of the empire, whether arising from the imperial domains, from imposts and tolls, from gold or silver mines, from the taxes paid by the Jews, or from forfeitures. The right of governing Italy as its proper sovereigns. The right of erecting free cities and of establishing fairs in them. The right of assembling the diets of the empire and of fixing the time of their duration. The right of coining money, and of conferring that privilege on the states of the empire. The right of administering both high and low justice within the territories of the different states. (Abrégé, p. 160.) The other period is at the extinction of the emperors of the families of Luxemburg and Bavaria, A.D. 1437. According to the same author, the imperial prerogatives at that time were the right of conferring all dignities and titles, except the privilege of being a state of the empire. The right of *preces primariæ*, or of appointing once during their reign a dignitary in each chapter or religious house. The right of granting dispensations with respect to the age of majority. The right of erecting cities and of conferring the privilege of coining money. The right of calling the meetings of the diet and of presiding in them. (Abrégé, etc., p 507.) It were easy to show that Mr. Pfeffel is well founded in all these assertions, and confirm them by the testimony of the most respectable authors. In the one period the emperors appear as mighty sovereigns with extensive prerogatives; in the other, as the heads of a confederacy with very limited powers.

The revenues of the emperors decreased still more than their authority. The early emperors, and particularly those of the Saxon line, besides their great patrimonial or hereditary territories, possessed an extensive domain both in Italy and Germany, which belonged to them as emperors. Italy belonged to the emperors as their proper kingdom, and the revenue which they drew from it were very considerable. The first alienations of the imperial revenues were made in that country. The Italian cities, having acquired wealth, and aspiring at independence, purchased their liberty from different emperors, as I have observed, Note XV. The sums which they paid, and the emperors with whom they concluded these bargains, are mentioned by Casp. Klockius de Ærario, Norimb., 1671, p. 85, etc. Charles IV. and his son Wenceslaus dissipated all that remained of the Italian branch of the domain. The German domain lay chiefly upon the banks of the Rhine, and was under the government of the counts palatine. It is not easy to mark out the boundaries or to estimate the value of this ancient domain, which has been so long incorporated with the territories of different princes. Some hints with respect to it may be found in the glossary of Speidelius, which he has entitled Speculum Juridico-Philologico-Politico-Historicum Observationum, etc., Norimb., 1673, vol. i. pp. 679, 1045. A more full account of it is given by Klockius de Ærario, p. 84. Besides this, the emperors possessed considerable districts of land lying intermixed with the estates of the dukes and barons. They were accustomed to visit these frequently, and drew from their vassals in each what was suffi-

cient to support their court during the time of their residence among them. (Annalistæ, ap. Struv., tom. i. p. 611.) A great part of these detached possessions was seized by the nobles during the long interregnum, or during the wars occasioned by the contests between the emperors and the court of Rome. At the same time that such encroachments were made on the fixed or territorial property of the emperors, they were robbed almost entirely of their casual revenues, the princes and barons appropriating to themselves taxes and duties of every kind, which had usually been paid to them. (Pfeffel, Abrégé, p. 374.) The profuse and inconsiderate ambition of Charles IV. squandered whatever remained of the imperial revenues after so many defalcations. He, in the year 1376, in order to prevail with the electors to choose his son Wenceslaus king of the Romans, promised each of them a hundred thousand crowns. But being unable to pay so large a sum, and eager to secure the election to his son, he alienated to the three ecclesiastical electors, and to the count palatine, such countries as still belonged to the imperial domain on the banks of the Rhine, and likewise made over to them all the taxes and tolls then levied by the emperors in that district. Trithemius, and the author of the Chronicle of Magdeburg, enumerate the territories and taxes which were thus alienated, and represent this as the last and fatal blow to the imperial authority. (Struv., Corp., vol. i. p. 437.) From that period the shreds of the ancient revenues possessed by the emperors have been so inconsiderable that, in the opinion of Speidelius, all that they yield would be so far from defraying the expense of supporting their household that they would not pay the charge of maintaining the posts established in the empire. (Speidelii Speculum, etc., vol. i. p. 680.) These funds, inconsiderable as they were, continued to decrease. Granvelle, the minister of Charles V., asserted in the year 1546, in presence of several of the German princes, that his master drew no money at all from the empire. (Sleid., History of the Reformation, Lond., 1689, p. 372.) The same is the case at present. (Traité du Droit publique de l'Empire, par M. le Coq de Villeray, p. 55.) From the reign of Charles IV., whom Maximilian called the "pest of the empire," the emperors have depended entirely on their hereditary dominions as the chief and almost the only source of their power, and even of their subsistence.

2. The ancient mode of electing the emperors, and the various changes which it underwent, require some illustration. The imperial crown was originally attained by election, as well as those of most monarchies in Europe. An opinion long prevailed among the antiquaries and public lawyers of Germany that the right of choosing the emperors was vested in the archbishops of Mentz, Cologne, and Treves, the king of Bohemia, the duke of Saxony, the marquis of Brandenburg, and the count palatine of the Rhine, by an edict of Otho III., confirmed by Gregory V. about the year 996. But the whole tenor of history contradicts this opinion. It appears that from the earliest period in the history of Germany the person who was to reign over all was elected by the suffrage of all. Thus, Conrad I. was elected by all the people of the Franks, say some annalists; by all the princes and chief men, say others; by all the nations, say others. (See their words Struv., Corp., p. 211; Conringius de German. Imper. Repub. Acroamata Sex., Ebroduni, 1654, p. 103.) In the year 1024, posterior to the supposed regulations of Otho III., Conrad II. was elected by all the chief men, and his election was approved and confirmed by the people. (Struv., Corp., p. 284.) At the election of Lotharius II., A.D. 1125, sixty thousand persons of all ranks were present. He was named by the chief men, and their nomination was approved by the people. (Struv., Corp., p. 357.) The first author who mentions the seven electors in Martinus Polonus, who flourished in the reign of Frederic II., which ended A.D. 1250. We find that in all the ancient elections to which I have referred the princes of the greatest power and authority were allowed by their countrymen to name the person whom they wished to appoint emperor, and the people approved or disapproved of their nomination. This privilege of voting first is called by the German lawyers the right of *prætaxation*. (Pfeffel, Abrégé, p. 316.) This was the first origin of the exclusive right which the electors acquired. The electors possessed the most extensive territories of any princes in the empire; all the great offices of the state were in their hands by hereditary right; as soon as they obtained or engrossed so much influence in the election as to be allowed the right of prætaxation, it was vain to oppose their will, and it even became unnecessary for the inferior ecclesiastics and barons to attend, when they had no other function but that of confirming the deed of these more powerful princes by their assent. During times of turbulence, the subordinate members of the Germanic body could not resort to the place of election without a retinue of armed vassals, the expense of which they were obliged to defray out of their own revenues; and, finding their attendance to be unnecessary, they were unwilling to waste them to no purpose. The rights of the seven electors were supported by all the descendants and allies of their powerful families, who shared in the splendour and influence which they enjoyed by this distinguishing privilege. (Pfeffel, Abrégé, p. 376.) The seven electors were considered as the representatives of all the orders which composed the highest class of German nobility. There were three archbishops, chancellors of the three great districts into which the empire was anciently divided, one king, one duke, one marquis, and one count. All these circumstances contributed to render the introduction of this considerable innovation into the constitution of the Germanic body extremely easy. Everything of importance relating to this branch of the political state of the empire is well illustrated by Onuphrius Panvanius, an Augustinian monk of Verona, who lived in the reign of Charles V. His treatise, if we make some allowance for that partiality which he expresses in favour of the

powers which the popes claimed in the empire, has the merit of being one of the first works in which a controverted point in history is examined with critical precision and with a proper attention to that evidence which is derived from records or the testimony of contemporary historians. It is inserted by Goldastus in his Politica Imperialia, p. 2.

As the electors have engrossed the sole right of choosing the emperors, they have assumed likewise that of deposing them. This high power the electors have not only presumed to claim, but have ventured, in more than one instance, to exercise. In the year 1298 a part of the electors deposed Adolphus of Nassau and substituted Albert of Austria in his place. The reasons on which they found their sentence show that this deed flowed from factious, not from public-spirited, motives. (Struv., Corp., vol. i. p. 540.) In the first year of the fifteenth century the electors deposed Wenceslaus and placed the imperial crown on the head of Rupert, elector palatine. The act of deposition is still extant. (Goldasti Constit., vol. i. p. 379.) It is pronounced in the name and by the authority of the electors, and confirmed by several prelates and barons of the empire, who were present. These exertions of the electoral power demonstrate that the imperial authority was sunk very low.

The other privileges of the electors, and the rights of the electoral college, are explained by the writers on the public law in Germany.

3. With respect to the diets, or general assemblies of the empire, it would be necessary, if my object were to write a particular history of Germany, to enter into a minute detail concerning the forms of assembling them, the persons who have a right to be present, their division into several colleges or benches, the objects of their deliberation, the mode in which they carry on their debates or give their suffrages, and the authority of their decrees or recesses. But, as my only object is to give the outlines of the constitution of the German empire, it will be sufficient to observe that originally the diets of the empire were exactly the same with the assemblies of March and of May, held by the kings of France. They met at least once a year. Every freeman had a right to be present. They were assemblies in which a monarch deliberated with his subjects concerning their common interest. (Arumæus de Comitiis Rom. German. Imperii, 4to, Jenæ, 1660, cap. 7, no. 20, etc.) But when the princes, dignified ecclesiastics, and barons acquired territorial and independent jurisdiction, the diet became an assembly of the separate states, which formed the confederacy of which the emperor was head. While the constitution of the empire remained in its primitive form, attendance on the diets was a duty, like the other services due from feudal subjects to their sovereign, which the members were bound to perform in person; and if any member who had a right to be present in diet neglected to attend in person, he not only lost his vote, but was liable to a heavy penalty. (Arumæus de Comit., c. 5, no. 40.) Whereas, from the time that the members of the diet became independent states, the right of suffrage was annexed to the territory or dignity, not to the person. The members, if they could not, or would not, attend in person, might send their deputies, as princes send ambassadors, and they were entitled to exercise all the rights belonging to their constituents. (Ibid., no. 42, 46, 49.) By degrees, and upon the same principle of considering the diet as an assembly of independent states, in which each confederate had the right of suffrage, if any member possessed more than one of those states or characters which entitle to a seat in the diet, he was allowed a proportional number of suffrages. (Pfeffel, Abrégé, p. 622.) From the same cause, the imperial cities, as soon as they became free and acquired supreme and independent jurisdiction within their own territories, were received as members of the diet. The powers of the diet extend to everything relative to the common concern of the Germanic body or that can interest or affect it as a confederacy. The diet takes no cognizance of the interior administration in the different states, unless that happens to disturb or threaten the general safety.

4. With respect to the imperial chamber, the jurisdiction of which has been the great source of order and tranquillity in Germany, it is necessary to observe that this court was instituted in order to put an end to the calamities occasioned by private wars in Germany. I have already traced the rise and progress of this practice, and pointed out its pernicious effects as fully as their extensive influence during the Middle Ages required. In Germany, private wars seem to have been more frequent and productive of worse consequences than in the other countries of Europe. There are obvious reasons for this. The nobility of Germany were extremely numerous, and the causes of their dissension multiplied in proportion. The territorial jurisdiction which the German nobles acquired was more complete than that possessed by their order in other nations. They became, in reality, independent powers, and they claimed all the privileges of that character. The long interregnum from A.D. 1256 to A.D. 1273 accustomed them to an uncontrolled license, and led them to forget that subordination which is necessary in order to maintain public tranquillity. At the time when the other monarchs of Europe began to acquire such an increase of power and revenues as added new vigour to their government, the authority and revenues of the emperors continued gradually to decline. The diets of the empire, which alone had authority to judge between such mighty barons, and power to enforce its decisions, met very seldom. (Conring., Acroamata, p. 234.) The diets, when they did assemble, were often composed of several thousand members (Chronic. Constant., ap. Struv., Corp., i. 546), and were tumultuary assemblies, ill qualified to decide concerning any question of right. The session of the diet continued only two or three days (Pfeffel, Abrégé, p. 244); so that they had no time

to hear or discuss any cause that was in the smallest degree intricate. Thus Germany was left, in some measure, without any court of judicature capable of deciding the contests between its most powerful members, or of repressing the evils occasioned by their private wars.

All the expedients which were employed in other countries of Europe in order to restrain this practice, and which I have described, Note XXI., were tried in Germany with little effect. The confederacies of the nobles and of the cities, and the division of Germany into various circles, which I mentioned in that note, were found likewise insufficient. As a last remedy, the Germans had recourse to arbiters, whom they called *austregæ*. The barons and states in different parts of Germany joined in conventions, by which they bound themselves to refer all controversies that might arise between them to the determination of *austregæ* and to submit to their sentence as final. These arbiters are named sometimes in the treaty of convention, an instance of which occurs in Ludewig, Reliquiæ Manuscr. omnis Ævi, vol. ii. p. 212; sometimes they were chosen by mutual consent upon occasion of any contest that arose; sometimes they were appointed by neutral persons; and sometimes the choice was left to be decided by lot. (Datt., de Pace Publica Imperii, lib. i. cap. 27, no. 60, etc.; Speidelius, Speculum, etc., voc. *Austrag.*, p. 95.) Upon the introduction of this practice, the public tribunals of justice became in a great measure useless, and were almost entirely deserted.

In order to re-establish the authority of government, Maximilian I. instituted the imperial chamber at the period which I have mentioned. This tribunal consisted originally of a president, who was always a nobleman of the first order, and of sixteen judges. The president was appointed by the emperor, and the judges partly by him and partly by the states, according to forms which it is unnecessary to describe. A sum was imposed, with their own consent, on the states of the empire, for paying the salaries of the judges and officers in this court. The imperial chamber was established first at Frankfort-on-the-Main. During the reign of Charles V. it was removed to Spires, and continued in that city above a century and a half. It is now fixed at Wetzlar. This court takes cognizance of all questions concerning civil right between the states of the empire, and passes judgment in the last resort, and without appeal. To it belongs likewise the privilege of judging in criminal causes, which may be considered as connected with the preservation of the public peace. Pfeffel, Abrégé, p. 560.

All causes relating to points of feudal right or jurisdiction, together with such as respect the territories which hold of the empire in Italy, belong properly to the jurisdiction of the aulic council. This tribunal was formed upon the model of the ancient court of the palace instituted by the emperors of Germany. It depended not upon the states of the empire, but upon the emperor, he having the right of appointing at pleasure all the judges of whom it is composed. Maximilian, in order to procure some compensation for the diminution of his authority by the powers vested in the imperial chamber, prevailed on the diet, A.D. 1512, to give its consent to the establishment of the aulic council. Since that time it has been a great object of policy in the court of Vienna to extend the jurisdiction and support the authority of the aulic council and to circumscribe and weaken those of the imperial chamber. The tedious forms and dilatory proceedings of the imperial chamber have furnished the emperors with pretexts for doing so. "Lites Spiræ," according to the witticism of a German lawyer, "spirant, sed nunquam expirant." Such delays are unavoidable in a court composed of members named by many different states jealous of each other. Whereas the judges of the aulic council, depending upon one master and being responsible to him alone, are more vigorous and decisive. Puffendorf, De Statu Imper. German., cap. v. § 20; Pfeffel, Abrégé, p. 581.

Note XLIII.—Sect. III. p. 87.

The description which I have given of the Turkish government is conformable to the accounts of the most intelligent travellers who have visited that empire. The Count de Marsigli, in his treatise concerning the military state of the Turkish empire, ch. vi., and the author of Observations on the Religion, Laws, Government, and Manners of the Turks, published at London, 1768, vol. i. p. 81, differ from other writers who have described the political constitution of that powerful monarchy. As they had opportunity, during their long residence in Turkey, to observe the order and justice conspicuous in several departments of administration, they seem unwilling to admit that it should be denominated a despotism. But when the form of government in any country is represented to be despotic, this does not suppose that the power of the monarch is continually exerted in acts of violence, injustice, and cruelty. Under political constitutions of every species, unless when some frantic tyrant happens to hold the sceptre, the ordinary administration of government must be conformable to the principles of justice, and, if not active in promoting the welfare of the people, cannot certainly have their destruction for its object. A state in which the sovereign possesses the absolute command of a vast military force, together with the disposal of an extensive revenue, in which the people have no privileges and no part either immediate or remote in legislation, in which there is no body of hereditary nobility, jealous of their own rights and distinctions, to stand as an intermediate order between the prince and the people, cannot be distinguished by any name but that of a despotism. The restraints, however, which I have mentioned, arising from the *capiculy* and from religion, are

powerful. But they are not such as change the nature or denomination of the government. When a despotic prince employs an armed force to support his authority, he commits the supreme power to their hands. The prætorian bands in Rome dethroned, murdered, and exalted their princes in the same wanton manner with the soldiery of the Porte at Constantinople. But, notwithstanding this, the Roman emperors have been considered by all political writers as possessing despotic powers.

The author of Observations on the Religion, Laws, Government, and Manners of the Turks, in a preface to the second edition of his work, hath made some remarks on what is contained in this note and in that part of the text to which it refers. It is with diffidence I set my opinion in opposition to that of a person who has observed the government of the Turks with attention and has described it with abilities. But, after a careful review of the subject, to me the Turkish government still appears of such a species as can be ranged in no class but that to which political writers have given the name of *despotism*. There is not in Turkey any constitutional restraint upon the will of the sovereign, or any barrier to circumscribe the exercise of his power, but the two which I have mentioned: one afforded by religion, the principle upon which the authority of the sultan is founded, the other by the army, the instrument which he must employ to maintain his power. The author represents the *ulema*, or body of the law, as an intermediate order between the monarch and the people. (Pref., p. 30.) But whatever restraint the authority of the *ulema* may impose upon the sovereign is derived from religion. The *moulahs*, out of whom the mufti and other chief officers of the law must be chosen, are ecclesiastics. It is as interpreters of the Koran or divine will that they are objects of veneration. The check, then, which they give to the exercise of arbitrary power is not different from one of those of which I took notice. Indeed, this restraint cannot be very considerable. The mufti, who is the head of the order, as well as every inferior officer of law, is named by the sultan, and is removable at his pleasure. The strange means employed by the *ulema* in 1746 to obtain the dismission of a minister whom they hated is a manifest proof that they possess but little constitutional authority which can serve as a restraint upon the will of the sovereign. (Observat., p. 92 of 2nd edit.) If the author's idea be just, it is astonishing that the *body of the law* should have no method of remonstrating against the errors of administration but by setting fire to the capital.

The author seems to consider the *capiculy*, or soldiery of the Porte, neither as formidable instruments of the sultan's power nor as any restraint upon the exercise of it. His reasons for this opinion are that the number of the capiculy is small in proportion to the other troops which compose the Turkish armies, and that in time of peace they are undisciplined. (Pref., 2nd edit., p. 23, etc.) But the troops stationed in a capital, though their number be not great, are always masters of the sovereign's person and power. The prætorian bands bore no proportion to the legionary troops in the frontier provinces. The soldiery of the Porte are more numerous, and must possess power of the same kind, and be equally formidable, sometimes to the sovereign, and oftener to the people. However much the discipline of the janizaries may be neglected at present, it certainly was not so in that age to which alone my description of the Turkish government applies. The author observes (Pref., p. 29) that the janizaries never deposed any sultan of themselves, but that some form of law, true or false, has been observed, and that either the mufti, or some other minister of religion, has announced to the unhappy prince the law which renders him unworthy of the throne. (Observ., p. 102.) This will always happen. In every revolution, though brought about by military power, the deeds of the soldiery must be confirmed and carried into execution with the civil and religious formalities peculiar to the constitution.

This addition to the note may serve as a further illustration of my own sentiments, but is not made with an intention of entering into any controversy with the author of Observations, etc., to whom I am indebted for the obliging terms in which he has expressed his remarks upon what I had advanced. Happy were it for such as ventured to communicate their opinions to the world, if every animadversion upon them were conveyed with the same candid and liberal spirit. In one particular, however, he seems to have misapprehended what I meant. (Pref., p. 17.) I certainly did not mention his or Count Marsigli's long residence in Turkey as a circumstance which should detract from the weight of their authority. I took notice of it in justice to my readers, that they might receive my opinion with distrust, as it differed from that of persons whose means of information were so far superior to mine.

Note XLIV.—Sect. III. p. 88.

The institution, the discipline, and privileges of the janizaries are described by all the authors who give any account of the Turkish government. The manner in which enthusiasm was employed in order to inspire them with courage is thus related by Prince Cantemir: "When Amurath I. had formed them into a body, he sent them to Haji Bektash, a Turkish saint, famous for his miracles and prophecies, desiring him to bestow on them a banner, to pray God for their success, and to give them a name. The saint, when they appeared in his presence, put the sleeve of his gown upon one of their heads, and said, Let them be called *Yengicheri*. Let their countenance be ever bright, their hands victorious, their swords keen; let their spear always hang over the heads of their enemies, and wherever they go, may they return with a

shining face." (History of the Ottoman Empire, p. 38.) The number of janizaries at the first institution of the body was not considerable. Under Solyman, in the year 1521, they amounted to twelve thousand. Since that time their number has greatly increased. (Marsigli, Etat, etc., ch. xvi. p. 68.) Though Solyman possessed such abilities and authority as to restrain this formidable body within the bounds of obedience, yet its tendency to limit the power of the sultans was, even in that age, foreseen by sagacious observers. Nicolas Daulphinois, who accompanied M. d'Aramon, ambassador from Henry II. of France to Solyman, published an account of his travels, in which he describes and celebrates the discipline of the janizaries, but at the same t me predicts that they would one day become formidable to their masters, and act the same part at Constantinople as the prætorian bands had done at Rome. Collection of Voyages from the Earl of Oxford's Library, vol. i. p. 599.

Note XLV.—Sect. III. p. 89.

Solyman the Magnificent, to whom the Turkish historians have given the surname of *canuni*, or institutor of rules, first brought the finances and military establishment of the Turkish empire into a regular form. He divided the military force into the *capiculy*, or soldiery of the Porte, which was properly the standing army, and *serrataculy*, or soldiers appointed to guard the frontiers. The chief strength of the latter consisted of those who held timariots and ziams. These were portions of land granted to certain persons for life, in much the same manner as the military fiefs among the nations of Europe, in return for which military service was performed. Solyman, in his *Canun-Name*, or book of regulations, fixed with great accuracy the extent of these lands in each province of his empire, appointed the precise number of soldiers each person who held a timariot or ziam should bring into the field, and established the pay which they should receive while engaged in service. Count Marsigli and Sir Paul Rycaut have given extracts from this book of regulations, and it appears that the ordinary establishment of the Turkish army exceeded a hundred and fifty thousand men. When these were added to the soldiery of the Porte, they formed a military power greatly superior to what any Christian state could command in the sixteenth century. (Marsigli, Etat Militaire, etc., p. 136; Rycaut's State of the Ottoman Empire, book iii. ch. ii.) As Solyman, during his active reign, was engaged so constantly in war that his troops were always in the field, the *serrataculy* became almost equal to the janizaries themselves in discipline and valour.

It is not surprising, then, that the authors of the sixteenth century should represent the Turks as far superior to the Christians both in the knowledge and in the practice of the art of war. Guicciardini informs us that the Italians learned the art of fortifying towns from the Turks. (Histor., lib. xv. p. 266.) Busbequius, who was ambassador from the Emperor Ferdinand to Solyman, and who had opportunity to observe the state both of the Christian and Turkish armies, published a discourse concerning the best manner of carrying on war against the Turks, in which he points out at great length the immense advantages which the infidels possessed with respect to discipline and military improvements of every kind. (Busbequii Opera, edit Elzevir, p. 393, etc.) The testimony of other authors might be added, if the matter were in any degree doubtful.

Before I conclude these Proofs and Illustrations, I ought to explain the reason of two omissions in them: one of which it is necessary to mention on my own account, the other to obviate an objection to this part of the work.

In all my inquiries and disquisitions concerning the progress of government, manners, literature and commerce during the Middle Ages, as well as in my delineations of the political constitution of the different states of Europe at the opening of the sixteenth century, I have not once mentioned M. de Voltaire, who in his *Essai sur l'Histoire générale* has reviewed the same period and has treated of all these subjects. This does not proceed from an inattention to the works of that extraordinary man, whose genius, no less enterprising than universal, has attempted almost every different species of literary composition. In many of these he excels. In all, if he had left religion untouched, he is instructive and agreeable. But, as he seldom imitates the example of modern historians in citing the authors from whom they derived their information, I could not with propriety appeal to his authority in confirmation of any doubtful or unknown fact. I have often, however, followed him as my guide in these researches; and he has not only pointed out the facts with respect to which it was of importance to inquire, but the conclusions which it was proper to draw from them. If he had at the same time mentioned the books which relate these particulars, a great part of my labour would have been unnecessary, and many of his readers who now consider him only as an entertaining and lively writer would find that he is a learned and well-informed historian.

As to the other omission, every intelligent reader must have observed that I have not entered, either in the historical part of this volume or in the Proofs and Illustrations, into the same detail with respect to the ancient laws and customs of the British kingdoms as concerning those of the other European nations. As the capital facts with regard to the progress of government and manners in their own country are known to most of my readers, such a detail appeared to

me to be less essential. Such facts and observations, however, as were necessary towards completing my design in this part of the work, I have mentioned under the different articles which are the subjects of my disquisitions. The state of government in all the nations of Europe having been nearly the same during several ages, nothing can tend more to illustrate the progress of the English constitution than a careful inquiry into the laws and customs of the kingdoms on the Continent. This source of information has been too much neglected by the English antiquaries and lawyers. Filled with admiration of that happy constitution now established in Great Britain, they have been more attentive to its forms and principles than to the condition and ideas of remote times, which in almost every particular differ from the present. While engaged in perusing the laws, charters, and early historians of the Continental kingdoms, I have often been led to think that an attempt to illustrate the progress of English jurisprudence and policy by a comparison with those of other kingdoms in a similar situation would be of great utility, and might throw much light on some points which are now obscure, and decide others which have been long controverted.

HISTORY OF THE REIGN

OF THE

EMPEROR CHARLES THE FIFTH.

BOOK I.

Birth of Charles V.—His Hereditary Dominions—Philip and Joanna, his Parents—Birth of Ferdinand, his Brother—Death of Isabella—Philip's Attempts to obtain the Government of Castile—The Regent Ferdinand marries a Niece of the French King to exclude Philip and his Daughter—The Castilian Nobility declare for Philip—Philip and Joanna proclaimed—Death of Philip—Incapacity of Joanna—Ferdinand made Regent—His Acquisition of Territory—His Death—Education of Charles V.—Cardinals Ximenes and Adrian—Charles acknowledged King—Ximenes strengthens the Royal Power; is opposed by the Nobles—War in Navarre and in Africa—Peace with France—Charles visits Spain—His Ingratitude towards Ximenes—Death of the Latter—Discontent of the Castilians—Corruption of the King's Flemish Favourites—Reception of Charles in Aragon—Death of the Emperor Maximilian—Charles and Francis I. Competitors for the Empire—Views of the other Reigning Potentates—Assembly of the Electors—The Crown offered to Frederic of Saxony—He declines in Favour of Charles, who is chosen—Discontent of the Spaniards—Insurrection in Valencia—The Cortes of Castile summoned to meet in Galicia—Charles appoints Regents, and embarks for the Low Countries.

CHARLES V. was born at Ghent on the 24th day of February, in the year 1500. His father, Philip the Handsome, archduke of Austria, was the son of the emperor Maximilian, and of Mary, the only child of Charles the Bold, the last prince of the house of Burgundy. His mother, Joanna, was the second daughter of Ferdinand, king of Aragon, and of Isabella, queen of Castile.

A long train of fortunate events had opened the way for this young prince to the inheritance of more extensive dominions than any European monarch since Charlemagne had possessed. Each of his ancestors had acquired kingdoms or provinces towards which their prospect of succession was extremely remote. The rich possessions of Mary of Burgundy had been destined for another family, she having been contracted by her father to the only son of Louis XI. of France; but that capricious monarch, indulging his hatred to her family, chose rather to strip her of part of her territories by force than to secure the whole by marriage; and by this misconduct, fatal to his posterity, he threw all the Netherlands and Franche-Comté into the hands of a rival. Isabella, the daughter of John II. of Castile, far from having any prospect of that noble inheritance which she transmitted to her grandson, passed the early part of her life in obscurity and indigence. But the Castilians, exasperated against her brother, Henry IV., an ill-advised and vicious prince, publicly charged him with impotence and his queen with adultery. Upon his demise, rejecting Joanna, whom Henry had uniformly, and even on his death-bed, owned to be his lawful daughter, and whom an assembly of the states had acknowledged to be the heir of his kingdom, they obliged her to retire into Portugal and placed Isabella on the throne of Castile. Ferdinand owed the crown of Aragon to the unexpected death of his elder brother, and acquired the kingdoms of Naples and Sicily by violating the faith of treaties and disregarding the ties of blood. To all these kingdoms Christopher Columbus, by an effort of genius and of intrepidity the boldest and most successful that is recorded in the annals of mankind, added a new world, the wealth of which

became one considerable source of the power and grandeur of the Spanish monarchs.

Don John, the only son of Ferdinand and Isabella, and their eldest daughter, the queen of Portugal, being cut off, without issue, in the flower of youth, all their hopes centred in Joanna and her posterity. But as her husband, the archduke, was a stranger to the Spaniards, it was thought expedient to invite him into Spain, that by residing among them he might accustom himself to their laws and manners; and it was expected that the cortes, or assembly of states, whose authority was then so great in Spain that no title to the crown was reckoned valid unless it received their sanction, would acknowledge his right of succession, together with that of the infanta, his wife. Philip and Joanna, passing through France in their way to Spain, were entertained in that kingdom with the utmost magnificence. The archduke did homage to Louis XII. for the earldom of Flanders, and took his seat as a peer of the realm in the parliament of Paris. They were received in Spain with every mark of honour that the parental affection of Ferdinand and Isabella, or the respect of their subjects, could devise; and their title to the crown was soon after acknowledged by the cortes of both kingdoms.

But amidst these outward appearances of satisfaction and joy some secret uneasiness preyed upon the mind of each of these princes. The stately and reserved ceremonial of the Spanish court was so burdensome to Philip, a prince young, gay, affable, fond of society and of pleasure, that he soon began to express a desire of returning to his native country, the manners of which were more suited to his temper. Ferdinand, observing the declining health of his queen, with whose life he knew that his right to the government of Castile must cease, easily foresaw that a prince of Philip's disposition, and who already discovered an extreme impatience to reign, would never consent to his retaining any degree of authority in that kingdom; and the prospect of this diminution of his power awakened the jealousy of that ambitious monarch.

Isabella beheld with the sentiments natural to a mother the indifference and neglect with which the archduke treated her daughter, who was destitute of those beauties of person as well as those accomplishments of mind which fix the affections of a husband. Her understanding, always weak, was often disordered. She doted on Philip with such an excess of childish and indiscreet fondness as excited disgust rather than affection. Her jealousy, for which her husband's behaviour gave her too much cause, was proportioned to her love, and often broke out in the most extravagant actions. Isabella, though sensible of her defects, could not help pitying her condition, which was soon rendered altogether deplorable by the archduke's abrupt resolution of setting out in the middle of winter for Flanders and of leaving her in Spain. Isabella entreated him not to abandon his wife to grief and melancholy, which might prove fatal to her, as she was near the time of her delivery. Joanna conjured him to put off his journey for three days only, that she might have the pleasure of celebrating the festival of Christmas in his company. Ferdinand, after representing the imprudence of his leaving Spain before he had time to become acquainted with the genius or to gain the affections of the people who were one day to be his subjects, besought him at least not to pass through France, with which kingdom he was then at open war. Philip, without regarding either the dictates of humanity or the maxims of prudence, persisted in his purpose, and on the 22nd of December set out for the Low Countries by the way of France.[1]

From the moment of his departure, Joanna sunk into a deep and sullen

[1] Petri Martyris Anglerii Epistolæ, 250, 253.

melancholy,[2] and while she was in that situation bore Ferdinand, her second son, for whom the power of his brother Charles afterwards procured the kingdoms of Hungary and Bohemia, and to whom he at last transmitted the imperial sceptre. Joanna was the only person in Spain who discovered no joy at the birth of this prince. Insensible to that, as well as to every other pleasure, she was wholly occupied with the thoughts of returning to her husband; nor did she in any degree recover tranquillity of mind until she arrived at Brussels next year.[3] [1504.]

Philip, in passing through France, had an interview with Louis XII., and signed a treaty with him, by which he hoped that all the differences between France and Spain would have been finally terminated. But Ferdinand, whose affairs at that time were extremely prosperous in Italy, where the superior genius of Gonsalvo de Córdova, the great captain, triumphed on every occasion over the arms of France, did not pay the least regard to what his son-in-law had concluded, and carried on hostilities with greater ardour than ever.

From this time Philip seems not to have taken any part in the affairs of Spain, waiting in quiet till the death either of Ferdinand or of Isabella should open the way to one of their thrones. The latter of these events was not far distant. The untimely death of her son and eldest daughter had made a deep impression on the mind of Isabella; and as she could derive but little consolation for the losses which she had sustained either from her daughter Joanna, whose infirmities daily increased, or from her son-in-law, who no longer preserved even the appearance of a decent respect towards that unhappy princess, her spirits and health began gradually to decline, and, after languishing some months, she died at Medina del Campo on the 26th of November, 1504. She was no less eminent for virtue than for wisdom; and, whether we consider her behaviour as a queen, as a wife, or as a mother, she is justly entitled to the high encomiums bestowed upon her by the Spanish historians.[4]

A few weeks before her death, she made her last will, and, being convinced of Joanna's incapacity to assume the reins of government into her own hands, and having no inclination to commit them to Philip, with whose conduct she was extremely dissatisfied, she appointed Ferdinand regent or administrator of the affairs of Castile until her grandson Charles should attain the age of twenty. She bequeathed to Ferdinand likewise one-half of the revenues which should arise from the Indies, together with the grand masterships of the three military orders,—dignities which rendered the person who possessed them almost independent, and which Isabella had for that reason annexed to the crown.[5] But before she signed a deed so favourable to Ferdinand she obliged him to swear that he would not, by a second marriage, or by any other means, endeavour to deprive Joanna or her posterity of their right of succession to any of his kingdoms.[6]

Immediately upon the queen's death, Ferdinand resigned the title of king of Castile, and issued orders to proclaim Joanna and Philip the sovereigns of that kingdom. But at the same time he assumed the character of regent, in consequence of Isabella's testament; and not long after, he prevailed on the cortes of Castile to acknowledge his right to that office. This, however, he did not procure without difficulty, nor without discovering such symptoms of alienation and disgust among the Castilians as filled him with great uneasi-

[2] P. Martyr. Ep., 255.
[3] Mariana, lib. 27, c. 11, 14.—Fléchier, Vie de Ximénès, i. 191.
[4] P. Martyr. Ep., 279.
[5] P. Martyr. Ep., 277.—Mariana. Hist. lib. 28, c. 11.—Ferreras, Hist. génér. d'Espagne, tom. viii. p. 263.
[6] Mariana, Hist., lib. 28, c. 14.

ness. The union of Castile and Aragon for almost thirty years had not so entirely extirpated the ancient and hereditary enmity which subsisted between the natives of these kingdoms that the Castilian pride could submit without murmuring to the government of a king of Aragon. Ferdinand's own character, with which the Castilians were well acquainted, was far from rendering his authority desirable. Suspicious, discerning, severe, and parsimonious, he was accustomed to observe the most minute actions of his subjects with a jealous attention, and to reward their highest services with little liberality; and they were now deprived of Isabella, whose gentle qualities, and partiality to her Castilian subjects, often tempered his austerity or rendered it tolerable. The maxims of his government were especially odious to the grandees; for that artful prince, sensible of the dangerous privileges conferred upon them by the feudal institutions, had endeavoured to curb their exorbitant power [7] by extending the royal jurisdiction, by protecting their injured vassals, by increasing the immunities of cities, and by other measures equally prudent. From all these causes a formidable party among the Castilians united against Ferdinand, and, though the persons who composed it had not hitherto taken any public step in opposition to him, he plainly saw that upon the least encouragement from their new king they would proceed to the most violent extremities.

There was no less agitation in the Netherlands upon receiving the accounts of Isabella's death and of Ferdinand's having assumed the government of Castile. Philip was not of a temper tamely to suffer himself to be supplanted by the ambition of his father-in-law. If Joanna's infirmities and the nonage of Charles rendered them incapable of government, he, as a husband, was the proper guardian of his wife, and, as a father, the natural tutor of his son. Nor was it sufficient to oppose to these just rights, and to the inclination of the people of Castile, the authority of a testament the genuineness of which was perhaps doubtful, and its contents to him appeared certainly to be iniquitous. A keener edge was added to Philip's resentment, and new vigour infused into his councils, by the arrival of Don John Manuel. He was Ferdinand's ambassador at the imperial court, but upon the first notice of Isabella's death repaired to Brussels, flattering himself that under a young and liberal prince he might attain to power and honours which he could never have expected in the service of an old and frugal master. He had early paid court to Philip, during his residence in Spain, with such assiduity as entirely gained his confidence, and, having been trained to business under Ferdinand, could oppose his schemes with equal abilities, and with arts not inferior to those for which that monarch was distinguished.[8]

By the advice of Manuel, ambassadors were despatched to require Ferdinand to retire into Aragon, and to resign the government of Castile to those persons whom Philip should intrust with it until his own arrival in that kingdom. Such of the Castilian nobles as had discovered any dissatisfaction with Ferdinand's administration were encouraged by every method to oppose it. At the same time a treaty was concluded with Louis XII., by which Philip flattered himself that he had secured the friendship and assistance of that monarch.

Meanwhile, Ferdinand employed all the arts of address and policy in order to retain the power of which he had got possession. By means of Conchillos, an Aragonian gentleman, he entered into a private negotiation with Joanna, and prevailed on that weak princess to confirm, by her authority, his right to the regency. But this intrigue did not escape the penetrating eye of Don

[7] Mariana, Hist., lib. 28, c. 12.

[8] Zurita, Anales de Aragon, tom. vi. p. 12.

John Manuel: Joanna's letter of consent was intercepted, Conchillos was thrown into a dungeon, she herself confined to an apartment in the palace, and all her Spanish domestics secluded from her presence.[9]

The mortification which the discovery of this intrigue occasioned to Ferdinand was much increased by his observing the progress which Philip's emissaries made in Castile. Some of the nobles retired to their castles; others to the towns in which they had influence; they formed themselves into confederacies and began to assemble their vassals. Ferdinand's court was almost totally deserted,—not a person of distinction but Ximenes, archbishop of Toledo, the duke of Alva, and the marquis of Denia, remaining there; while the houses of Philip's ambassadors were daily crowded with noblemen of the highest rank.

Exasperated at this universal defection, and mortified, perhaps, with seeing all his schemes defeated by a younger politician, Ferdinand resolved, in defiance of the law of nature and of decency, to deprive his daughter and her posterity of the crown of Castile, rather than renounce the regency of that kingdom. His plan for accomplishing this was no less bold than the intention itself was wicked. He demanded in marriage Joanna, the supposed daughter of Henry IV., on the belief of whose illegitimacy Isabella's right to the crown of Castile was founded; and by reviving the claim of this princess, in opposition to which he himself had formerly led armies and fought battles, he hoped once more to get possession of the throne of that kingdom. But Emanuel, king of Portugal, in whose dominions Joanna resided at that time, having married one of Ferdinand's daughters by Isabella, refused his consent to that unnatural match; and the unhappy princess herself, having lost all relish for the objects of ambition by being long immured in a convent, discovered no less aversion to it.[10]

The resources, however, of Ferdinand's ambition were not exhausted. Upon meeting with a repulse in Portugal, he turned towards France, and sought in marriage Germaine de Foix, a daughter of the viscount of Narbonne, and of Mary, the sister of Louis XII. The war which that monarch had carried on against Ferdinand in Naples had been so unfortunate that he listened with joy to a proposal which furnished him with an honourable pretence for concluding peace; and though no prince was ever more remarkable than Ferdinand for making all his passions bend to the maxims of interest or become subservient to the purposes of ambition, yet so vehement was his resentment against his son-in-law that the desire of gratifying it rendered him regardless of every other consideration. In order to be revenged of Philip by detaching Louis from his interest, and in order to gain a chance of excluding him from his hereditary throne of Aragon and the dominions annexed to it, he was ready once more to divide Spain into separate kingdoms, though the union of these was the great glory of his reign and had been the chief object of his ambition; he consented to restore the Neapolitan nobles of the French faction to their possessions and honours, and submitted to the ridicule of marrying, in an advanced age, a princess of eighteen.[11]

The conclusion of this match, which deprived Philip of his only ally and threatened him with the loss of so many kingdoms, gave him a dreadful alarm, and convinced Don John Manuel that there was now a necessity of taking other measures with regard to the affairs of Spain.[12] He accordingly

[9] P. Martyr. Ep., 287.—Zurita, Anales, vi 14.

[10] Sandoval, Hist. of Civil Wars in Castile, Lond., 1655, p. 5.—Zurita, Anales de Aragon, vi. 213.

[11] P. Martyr. Ep., 290, 292.—Mariana, lib. 28, c 16, 17.

[12] P. Martyr. Ep., 293.

instructed the Flemish ambassadors in the court of Spain to testify the strong desire which their master had of terminating all differences between him and Ferdinand in an amicable manner, and his willingness to consent to any conditions that would re-establish the friendship which ought to subsist between a father and a son-in-law. Ferdinand, though he had made and broken more treaties than any prince of any age, was apt to confide so far in the sincerity of other men, or to depend so much upon his own address and their weakness, as to be always extremely fond of a negotiation. He listened with eagerness to the declarations, and soon concluded a treaty at Salamanca, in which it was stipulated that the government of Castile should be carried on in the joint names of Joanna, of Ferdinand, and of Philip, and that the revenues of the crown, as well as the right of conferring offices, should be shared between Ferdinand and Philip by an equal division.[13]

Nothing, however, was farther from Philip's thoughts than to observe this treaty. His sole intention in proposing it was to amuse Ferdinand and to prevent him from taking any measures for obstructing his voyage into Spain. It had that effect. Ferdinand, sagacious as he was, did not for some time suspect his design; and though, when he perceived it, he prevailed on the king of France not only to remonstrate against the archduke's journey, but to threaten hostilities if he should undertake it,—though he solicited the duke of Gueldres to attack his son-in-law's dominions in the Low Countries,—Philip and his consort nevertheless set sail with a numerous fleet and a good body of land-forces. They were obliged by a violent tempest to take shelter in England, where Henry VII., in compliance with Ferdinand's solicitations, detained them upwards of three months:[14] at last they were permitted to depart, and, after a more prosperous voyage, they arrived in safety at Corunna in Galicia, nor durst Ferdinand attempt, as he once intended, to oppose their landing by force of arms. [1506.]

The Castilian nobles, who had been obliged hitherto to conceal or to dissemble their sentiments, now declared openly in favour of Philip. From every corner of the kingdom, persons of the highest rank, with numerous retinues of their vassals, repaired to their new sovereign. The treaty of Salamanca was universally condemned, and all agreed to exclude from the government of Castile a prince who, by consenting to disjoin Aragon and Naples from that crown, discovered so little concern for its true interests. Ferdinand, meanwhile, abandoned by almost all the Castilians, disconcerted by their revolt, and uncertain whether he should peaceably relinquish his power or take arms in order to maintain it, earnestly solicited an interview with his son-in-law, who, by the advice of Manuel, studiously avoided it. Convinced at last, by seeing the number and zeal of Philip's adherents daily increase, that it was vain to think of resisting such a torrent, Ferdinand consented, by treaty, to resign the regency of Castile into the hands of Philip, to retire into his hereditary dominions of Aragon, and to rest satisfied with the masterships of the military orders, and that share of the revenue of the Indies which Isabella had bequeathed to him. Though an interview between the princes was no longer necessary, it was agreed to on both sides from motives of decency. Philip repaired to the place appointed with a splendid retinue of Castilian nobles and a considerable body of armed men. Ferdinand appeared without any pomp, attended by a few followers mounted on mules, and unarmed. On that occasion Don John Manuel had the pleasure of displaying before the monarch whom he had deserted the extensive influence which he had acquired over his new master; while Ferdinand suffered, in presence of his former subjects, the

[13] Zurita, Anales de Aragon, vi. 19.—P. Martyr. Ep., 293, 294. [14] Ferreras, Hist, viii. 285.

two most cruel mortifications which an artful and ambitious prince can feel,—being at once overreached in conduct and stripped of power.[15]

Not long after, he retired into Aragon; and, hoping that some favourable accident would soon open the way to his return into Castile, he took care to protest, though with great secrecy, that the treaty concluded with his son-in-law, being extorted by force, ought to be deemed void of all obligation.[16]

Philip took possession of his new authority with a youthful joy. The unhappy Joanna, from whom he derived it, remained, during all these contests, under the dominion of a deep melancholy; she was seldom allowed to appear in public; her father, though he had often desired it, was refused access to her; and Philip's chief object was to prevail on the cortes to declare her incapable of government, that an undivided power might be lodged in his hands until his son should attain to full age. But such was the partial attachment of the Castilians to their native princess that, though Manuel had the address to gain some members of the cortes assembled at Valladolid, and others were willing to gratify their new sovereign in his first request, the great body of the representatives refused their consent to a declaration which they thought so injurious to the blood of their monarchs.[17] They were unanimous, however, in acknowledging Joanna and Philip queen and king of Castile, and their son Charles prince of Asturias.

This was almost the only memorable event during Philip's administration. A fever put an end to his life in the twenty-eighth year of his age, when he had not enjoyed the regal dignity, which he had been so eager to obtain, full three months.[18]

The whole royal authority in Castile ought, of course, to have devolved upon Joanna. But the shock occasioned by a disaster so unexpected as the death of her husband completed the disorder of her understanding and her incapacity for government. During all the time of Philip's sickness, no entreaty could prevail on her, though in the sixth month of her pregnancy, to leave him for a moment. When he expired, however, she did not shed one tear or utter a single groan. Her grief was silent and settled. She continued to watch the dead body with the same tenderness and attention as if it had been alive,[19] and, though at last she permitted it to be buried, she soon removed it from the tomb to her own apartment. There it was laid upon a bed of state, in a splendid dress; and, having heard from some monk a legendary tale of a king who revived after he had been dead fourteen years, she kept her eyes almost constantly fixed on the body, waiting for the happy moment of its return to life. Nor was this capricious affection for her dead husband less tinctured with jealousy than that which she had borne to him when alive. She did not permit any of her female attendants to approach the bed on which his corpse was laid; she would not suffer any woman who did not belong to her family to enter the apartment; and, rather than grant that privilege to a midwife, though a very aged one had been chosen on purpose, she bore the princess Catharine without any other assistance than that of her own domestics.[20]

A woman in such a state of mind was little capable of governing a great kingdom; and Joanna, who made it her sole employment to bewail the loss and to pray for the soul of her husband, would have thought her attention to

[15] Zurita, Anales de Aragon, vi. 64.—Mariana, lib. 28, c. 19, 20.—P. Martyr. Ep., 304, 305, etc.

[16] Zurita, Anales de Aragon, vi. 68.—Ferreras, Hist., viii. 290.

[17] Zurita, Anales de Aragon, vi. 75.

[18] Mariana, lib. 28, c. 23. [1506.]

[19] P. Martyr. Ep., 316.

[20] Mariana, Hist., lib. 29, c. 3, 5.—P. Martyr. Ep., 318, 324, 328, 332.

public affairs an impious neglect of those duties which she owed to him. But though she declined assuming the administration herself, yet, by a strange caprice of jealousy, she refused to commit it to any other person; and no entreaty of her subjects could persuade her to name a regent, or even to sign such papers as were necessary for the execution of justice and the security of the kingdom.

The death of Philip threw the Castilians into the greatest perplexity. It was necessary to appoint a regent, both on account of Joanna's frenzy and the infancy of her son; and as there was not among the nobles any person so eminently distinguished, either by superiority in rank or abilities, as to be called by the public voice to that high office, all naturally turned their eyes either towards Ferdinand or towards the emperor Maximilian. The former claimed that dignity as administrator for his daughter, and by virtue of the testament of Isabella; the latter thought himself the legal guardian of his grandson, whom, on account of his mother's infirmities, he already considered as king of Castile. Such of the nobility as had lately been most active in compelling Ferdinand to resign the government of the kingdom trembled at the thoughts of his being restored so soon to his former dignity. They dreaded the return of a monarch not apt to forgive, and who to those defects with which they were already acquainted added that resentment which the remembrance of their behavour, and reflection upon his own disgrace, must naturally have excited. Though none of these objections lay against Maximilian, he was a stranger to the laws and manners of Castile; he had not either troops or money to support his pretensions, nor could his claim be admitted without a public declaration of Joanna's incapacity for government, an indignity to which, notwithstanding the notoriety of her distemper, the delicacy of the Castilians could not bear the thoughts of subjecting her.

Don John Manuel, however, and a few of the nobles who considered themselves most obnoxious to Ferdinand's displeasure, declared for Maximilian, and offered to support his claim with all their interest. Maximilian, always enterprising and decisive in council, though feeble and dilatory in execution, eagerly embraced the offer. But a series of ineffectual negotiations was the only consequence of this transaction. The emperor, as usual, asserted his right in a high strain, promised a great deal, and performed nothing.[21]

A few days before the death of Philip, Ferdinand had set out for Naples, that by his own presence he might put an end with greater decency to the viceroyalty of the Great Captain, whose important services and cautious conduct did not screen him from the suspicions of his jealous master. Though an account of his son-in-law's death reached him at Porto-fino, in the territories of Genoa, he was so solicitous to discover the secret intrigues which he supposed the Great Captain to have been carrying on, and to establish his own authority on a firm foundation in the Neapolitan dominions by removing him from the supreme command there, that rather than discontinue his voyage he chose to leave Castile in a state of anarchy, and even to risk by this delay his obtaining possession of the government of that kingdom.[22]

Nothing but the great abilities and prudent conduct of his adherents could have prevented the bad effects of this absence. At the head of these was Ximenes, archbishop of Toledo, who, though he had been raised to that dignity by Isabella contrary to the inclination of Ferdinand, and though he could have no expectation of enjoying much power under the administration of a master little disposed to distinguish him by extraordinary marks of attention, was

[21] Mariana, lib. 29, c. 7.—Zurita, Anales de Aragon, vi. 93.

[22] Zurita, Anales de Aragon, vi. 85.

nevertheless so disinterested as to prefer the welfare of his country before his own grandeur, and to declare that Castile could never be so happily governed as by a prince whom long experience had rendered thoroughly acquainted with its true interest. The zeal of Ximenes to bring over his countrymen to this opinion induced him to lay aside somewhat of his usual austerity and haughtiness. He condescended on this occasion to court the disaffected nobles, and employed address, as well as arguments, to persuade them. Ferdinand seconded his endeavours with great art; and by concessions to some of the grandees, by promises to others, and by letters full of complaisance to all, he gained many of his most violent opponents.[23] Though many cabals were formed, and some commotions were excited, yet when Ferdinand, after having settled the affairs of Naples, arrived in Castile, he entered upon the administration without opposition. The prudence with which he exercised his authority in that kingdom equalled the good fortune by which he had recovered it. By a moderate but steady administration, free from partiality and from resentment, he entirely reconciled the Castilians to his person, and secured to them, during the remainder of his life, as much domestic tranquillity as was consistent with the genius of the feudal government, which still subsisted among them in full vigour.[24]

Nor was the preservation of tranquillity in his hereditary kingdoms the only obligation which the Archduke Charles owed to the wise regency of his grandfather. It was his good fortune, during that period, to have very important additions made to the dominions over which he was to reign. On the coast of Barbary, Oran, and other conquests of no small value, were annexed to the crown of Castile by Cardinal Ximenes, who, with a spirit very uncommon in a monk, led in person a numerous army against the Moors of that country, and, with a generosity and magnificence still more singular, defrayed the whole expense of the expedition out of his own revenues.[25] In Europe, Ferdinand, under pretences no less frivolous than unjust, as well as by artifices the most shameful and treacherous, expelled John d'Albret, the lawful sovereign, from the throne of Navarre, and, seizing that kingdom, extended the limits of the Spanish monarchy from the Pyrenees on the one hand to the frontiers of Portugal on the other.[26]

It was not, however, the desire of aggrandizing the archduke which influenced Ferdinand in this or in any other of his actions. He was more apt to consider that young prince as a rival who might one day wrest out of his hands the government of Castile, than as a grandson for whose interest he was intrusted with the administration. This jealousy soon begot aversion, and even hatred, the symptoms of which he was at no pains to conceal. Hence proceeded his immoderate joy when his young queen was delivered of a son, whose life would have deprived Charles of the crowns of Aragon, Naples, Sicily, and Sardinia; and upon the untimely death of that prince he discovered, for the same reason, an excessive solicitude to have other children. This impatience hastened, in all probability, the accession of Charles to the crown of Spain. Ferdinand, in order to procure a blessing of which, from his advanced age and the intemperance of his youth, he could have little prospect, had recourse to his physicians, and by their prescription took one of those potions which are supposed to add vigour to the constitution, though they more frequently prove fatal to it. This was its effect on a frame so feeble and exhausted as that of Ferdinand; for though he survived a violent disorder which it at first occasioned, it brought on such an habitual languor and

[23] Zurita, Anales de Aragon, vi. 87, 94, 109.
[24] Mariana, lib. 29, c. 10.
[25] Ibid., lib. 29, c. 18.
[26] Ibid., lib. 30, c. 11, 12, 18, 24.

dejection of mind as rendered him averse from any serious attention to public affairs, and fond of frivolous amusements, on which he had not hitherto bestowed much time.[27] Though he now despaired of having any son of his own, his jealousy of the archduke did not abate, nor could he help viewing him with that aversion which princes often bear to their successors. In order to gratify this unnatural passion, he made a will appointing Prince Ferdinand, who, having been born and educated in Spain, was much beloved by the Spaniards, to be regent of all his kingdoms until the arrival of the archduke his brother; and by the same deed he settled upon him the grand-mastership of the three military orders. The former of these grants might have put it in the power of the young prince to have disputed the throne with his brother; the latter would, in any event, have rendered him almost independent of him

Ferdinand retained to the last that jealous love of power which was so remarkable through his whole life. Unwilling, even at the approach of death, to admit a thought of relinquishing any portion of his authority, he removed continually from place to place, in order to fly from his distemper, or to forget it. Though his strength declined every day, none of his attendants durst mention his condition; nor would he admit his father-confessor, who thought such silence criminal and unchristian, into his presence. At last the danger became so imminent that it could be no longer concealed. Ferdinand received the intimation with a decent fortitude; and, touched, perhaps, with compunction at the injustice which he had done his grandson, or influenced by the honest remonstrances of Carvajal, Zapara, and Vargas, his most ancient and faithful councillors, who represented to him that by investing Prince Ferdinand with the regency he would infallibly entail a civil war on the two brothers, and by bestowing on him the grand-mastership of the military orders would strip the crown of its noblest ornament and chief strength, he consented to alter his will with respect to both these particulars. By a new deed he left Charles the sole heir of all his dominions, and allotted to Prince Ferdinand, instead of that throne of which he thought himself almost secure, an inconsiderable establishment of fifty thousand ducats a year.[28] He died a few hours after signing this will, on the 23rd day of January, 1516.

Charles, to whom such a noble inheritance descended by his death, was near the full age of sixteen. He had hitherto resided in the Low Countries, his paternal dominions. Margaret of Austria, his aunt, and Margaret of York, the sister of Edward IV. of England and widow of Charles the Bold, two princesses of great virtue and abilities, had the care of forming his early youth. Upon the death of his father the Flemings committed the government of the Low Countries to his grandfather, the emperor Maximilian, with the name rather than the authority of regent.[29] Maximilian made choice of William de Croy, lord of Chièvres, to superintend the education of the young prince his grandson.[30] That nobleman possessed in an eminent degree the talents which

[27] Zurita, Anales de Aragon, vi. 347.—P. Martyr. Ep., 531.—Argensola, Anales de Aragon, lib. i. p. 4.

[28] Mariana, Hist., lib. 30, c. ult.—Zurita, Anales de Aragon, vi. 401.—P. Martyr. Ep., 565, 566.—Argensola, Anales de Aragon, lib. i. p. 11.

[29] Pontius Heuterus, Rerum Austriacarum Lib. XV., Lov., 1649, lib. vii. c. 2, p. 155.

[30] The French historians, upon the authority of M. de Bellay, Mémoires, p. 11, have unanimously asserted that, Philip by his last will having appointed the king of France to have the direction of his son's education, Louis XII., with a disinterestedness suitable to the confidence reposed in him, named Chièvres for that office. Even the President Hénault has adopted this opinion. (Abrégé Chron., A.D. 1507.) Varillas, in his usual manner, pretends to have seen Philip's testament. (Pract. de l'Education des Princes, p. 16.) But the Spanish, German, and Flemish historians concur in contradicting this assertion of the French authors. It appears from Heuterus, a con-

fitted him for such an important office, and discharged the duties of it with great fidelity. Under Chièvres, Adrian of Utrecht acted as preceptor. This preferment, which opened his way to the highest dignities an ecclesiastic can attain, he owed not to his birth, for that was extremely mean, nor to his interest, for he was a stranger to the arts of a court, but to the opinion which his countrymen entertained of his learning. He was indeed no inconsiderable proficient in those frivolous sciences which during several centuries assumed the name of philosophy, and had published a commentary, which was highly esteemed, upon *The Book of Sentences*, a famous treatise of Petrus Lombardus, considered at that time as the standard system of metaphysical theology. But, whatever admiration these procured him in an illiterate age, it was soon found that a man accustomed to the retirement of a college, unacquainted with the world, and without any tincture of taste or elegance, was by no means qualified for rendering science agreeable to a young prince. Charles, accordingly, discovered an early aversion to learning, and an excessive fondness for those violent and martial exercises to excel in which was the chief pride, and almost the only study, of persons of rank in that age. Chièvres encouraged this taste, either from a desire of gaining his pupil by indulgence, or from too slight an opinion of the advantages of literary accomplishments.[31] He instructed him, however, with great care in the arts of government; he made him study the history not only of his own kindoms, but of those with which they were connected; he accustomed him, from the time of his assuming the government of Flanders, in the year 1515, to attend to business; he persuaded him to peruse all papers relating to public affairs, to be present at the deliberations of his privy-councillors, and to propose to them himself those matters concerning which he required their opinion.[32] From such an education Charles contracted habits of gravity and recollection which scarcely suited his time of life. The first openings of his genius did not indicate that superiority which its maturer age displayed.[33] He did not discover in his youth the impetuosity of spirit which commonly ushers in an active and enterprising manhood. Nor did his early obsequiousness to Chièvres and his other favourites promise that capacious and decisive judgment which afterwards directed the affairs of one-

temporary Flemish historian of great authority, that Louis XII., by consenting to the marriage of Germaine de Foix with Ferdinand, had lost much of that confidence which Philip once placed in him; that his disgust was increased by the French king's giving in marriage to the count of Angoulême his eldest daughter, whom he had formerly betrothed to Charles (Heuter., Rer. Austr., lib. v. p. 151); that the French, a short time before Philip's death, had violated the peace which subsisted between them and the Flemings, and Philip had complained of this injury and was ready to resent it. (Heuter., ibid.) All these circumstances render it improbable that Philip, who made his will a few days before he died (Heuter., p. 152), should commit the education of his son to Louis XII. In confirmation of these plausible conjectures positive testimony can be produeed. It appears from Heuterus that Philip, when he set out for Spain, had intrusted Chièvres both with the care of his son's education and with the government of his dominions in the Low Countries (Heuter., lib. vii. p. 153); that an attempt was made, soon after Philip's death, to have the emperor Maximilian appointed regent during the minority of his grandson, but, this being opposed, Chièvres seems to have continued to discharge both the offices which Philip had committed to him (Heuter., ibid., 153, 155); that in the beginning of the year 1508 the Flemings invited Maximilian to accept of the regency, to which he consented, and appointed his daughter Margaret, together with a council of Flemings, to exercise the supreme authority when he himself should at any time be absent. He likewise named Chièvres as governor, and Adrian of Utrecht as preceptor to his son. (Heuter., ibid., 155, 157.) What Heuterus relates with respect to this matter is confirmed by Moringus, in Vita Adriani apud Analecta Casp. Burmanni de Adriano, cap. 10; by Barlandus, Chronic. Brabant., ibid., p. 25; and by Haræus, Annal. Brab., vol ii. p. 520, etc.

[31] Jovii Vita Adriani, p. 91.—Struvii Corpus Hist. Germ., ii. 967.—P. Heuter., Rer. Austr., lib. vii. c. 3, p. 157.

[32] Mémoires de Bellay, 8vo, Par., 1573, p. 11.—P. Heuter., lib. viii. c. 1, p. 184.

[33] P. Martyr. Ep., 569, 655.

half of Europe. But his subjects, dazzled with the external accomplishments of a graceful figure and manly address, and viewing his character with that partiality which is always shown to princes during their youth, entertained sanguine hopes of his adding lustre to those crowns which descended to him by the death of Ferdinand.

The kingdoms of Spain, as is evident from the view which I have given of their political constitution, were at that time in a situation which required an administration no less vigorous than prudent. The feudal institutions, which had been introduced into all its different provinces by the Goths, the Suevi, and the Vandals, subsisted in great force. The nobles, who were powerful and warlike, had long possessed all the exorbitant privileges which these institutions vested in their order. The cities in Spain were more numerous and more considerable than the genius of feudal government, naturally unfavourable to commerce and to regular police, seemed to admit. The personal rights and political influence which the inhabitants of these cities had acquired were extensive. The royal prerogative, circumscribed by the privileges of the nobility and by the pretensions of the people, was confined within very narrow limits. Under such a form of government, the principles of discord were many, the bond of union was extremely feeble, and Spain felt not only all the inconveniences occasioned by the defects in the feudal system, but was exposed to disorders arising from the peculiarities in its own constitution.

During the long administration of Ferdinand, no internal commotion, it is true, had arisen in Spain. His superior abilities had enabled him to restrain the turbulence of the nobles and to moderate the jealousy of the commons. By the wisdom of his domestic government, by the sagacity with which he conducted his foreign operations, and by the high opinion that his subjects entertained of both, he had preserved among them a degree of tranquillity greater than was natural to a constitution in which the seeds of discord and disorder were so copiously mingled. But by the death of Ferdinand these restraints were at once withdrawn; and faction and discontent, from being long repressed, were ready to break out with fiercer animosity.

In order to prevent these evils, Ferdinand had in his last will taken a most prudent precaution, by appointing Cardinal Ximenes, archbishop of Toledo, to be sole regent of Castile until the arrival of his grandson in Spain. The singular character of this man, and the extraordinary qualities which marked him out for that office at such a juncture, merit a particular description. He was descended of an honourable, not of a wealthy, family; and, the circumstances of his parents, as well as his own inclinations, having determined him to enter into the Church, he early obtained benefices of great value and which placed him in the way of the highest preferment. All these, however, he renounced at once, and, after undergoing a very severe novitiate, assumed the habit of St. Francis in a monastery of Observantine friars, one of the most rigid orders in the Romish Church. There he soon became eminent for his uncommon austerity of manners, and for those excesses of superstitious devotion which are the proper characteristics of the monastic life. But, notwithstanding these extravagances, to which weak and enthusiastic minds alone are usually prone, his understanding, naturally penetrating and decisive, retained its full vigour, and acquired him such great authority in his own order as raised him to be their provincial. His reputation for sanctity soon procured him the office of father-confessor to Queen Isabella, which he accepted with the utmost reluctance. He preserved in a court the same austerity of manners which had distinguished him in the cloister. He con-

tinued to make all his journeys on foot; he subsisted only upon alms; his acts of mortification were as severe as ever, and his penances as rigorous. Isabella, pleased with her choice, conferred on him, not long after, the archbishopric of Toledo, which, next to the papacy, is the richest dignity in the Church of Rome. This honour he declined with the firmness which nothing but the authoritative injunction of the pope was able to overcome. Nor did this height of promotion change his manners. Though obliged to display in public that magnificence which became his station, he himself retained his monastic severity. Under his pontifical robes he constantly wore the coarse frock of St. Francis, the rents in which he used to patch with his own hands. He at no time used linen, but was commonly clad in hair-cloth. He slept always in his habit, most frequently on the ground, or on boards, rarely in a bed. He did not taste any of the delicacies which appeared at his table, but satisfied himself with that simple diet which the rule of his order prescribed.[34] Notwithstanding these peculiarities, so opposite to the manners of the world, he possessed a thorough knowledge of its affairs; and no sooner was he called by his station, and by the high opinion which Ferdinand and Isabella entertained of him, to take a principal share in the administration, than he displayed talents for business which rendered the fame of his wisdom equal to that of his sanctity. His political conduct, remarkable for the boldness and originality of all his plans, flowed from his real character and partook both of its virtues and its defects. His extensive genius suggested to him schemes vast and magnificent. Conscious of the integrity of his intentions, he pursued these with unremitting and undaunted firmness. Accustomed from his early youth to mortify his own passions, he showed little indulgence towards those of other men. Taught by his system of religion to check even his most innocent desires, he was the enemy of everything to which he could affix the name of elegance or pleasure. Though free from any suspicion of cruelty, he discovered in all his commerce with the world a severe inflexibility of mind, and austerity of character, peculiar to the monastic profession, and which can hardly be conceived in a country where that is unknown.

Such was the man to whom Ferdinand committed the regency of Castile; and though Ximenes was then near fourscore, and perfectly acquainted with the labour and difficulty of the office, his natural intrepidity of mind, and zeal for the public good, prompted him to accept of it without hesitation. Adrian of Utrecht, who had been sent into Spain a few months before the death of Ferdinand, produced full powers from the archduke to assume the name and authority of regent upon the demise of his grandfather; but such was the aversion of the Spaniards to the government of a stranger, and so unequal the abilities of the two competitors, that Adrian's claim would at once have been rejected if Ximenes himself, from complaisance to his new master, had not consented to acknowledge him as regent and to carry on the government in conjunction with him. By this, however, Adrian acquired a dignity merely nominal. Ximenes, though he treated him with great decency, and even respect, retained the whole power in his own hands.[35]

The cardinal's first care was to observe the motions of the infant Don Ferdinand, who, having been flattered with so near a prospect of supreme power, bore the disappointment of his hopes with greater impatience than a prince at a period of life so early could have been supposed to feel. Ximenes, under pretence of providing more effectually for his safety, removed him from Guadalupe, the place in which he had been educated, to Madrid, where he

[34] Histoire de l'Administration du Cardinal Ximénès, par. Mich. Baudier, 4to, 1635, p. 13.

[35] Gometius de Reb. gest. Ximenii, p. 150, fol., Compl., 1569.

fixed the residence of the court. There he was under the cardinal's own eye, and his conduct, with that of his domestics, was watched with the utmost attention.[36]

The first intelligence he received from the Low Countries gave greater disquiet to the cardinal, and convinced him how difficult a task it would be to conduct the affairs of an inexperienced prince under the influence of councillors unacquainted with the laws and manners of Spain. No sooner did the account of Ferdinand's death reach Brussels than Charles, by the advice of his Flemish ministers, resolved to assume the title of king. By the laws of Spain, the sole right of the crowns both of Castile and of Aragon belonged to Joanna; and, though her infirmities disqualified her from governing, this incapacity had not been declared by any public act of the cortes in either kingdom; so that the Spaniards considered this resolution not only as a direct violation of their privileges, but as an unnatural usurpation in a son on the prerogatives of a mother, towards whom, in her present unhappy situation, he manifested a less delicate regard than her subjects had always expressed.[37] The Flemish court, however, having prevailed both on the pope and on the emperor to address letters to Charles as king of Castile,—the former of whom it was pretended had a right as head of the Church, and the latter as head of the empire, to confer this title,—instructions were sent to Ximenes to prevail on the Spaniards to acknowledge it. Ximenes, though he had earnestly remonstrated against the measure, as no less unpopular than unnecessary, resolved to exert all his authority and credit in carrying it into execution, and immediately assembled such of the nobles as were then at court. What Charles required was laid before them; and when, instead of complying with his demands, they began to murmur against such an unprecedented encroachment on their privileges, and to talk high of the rights of Joanna and their oath of allegiance to her, Ximenes hastily interposed, and, with that firm and decisive tone which was natural to him, told them that they were not called now to deliberate, but to obey; that their sovereign did not apply to them for advice, but expected submission; and "this day," added he, "Charles shall be proclaimed king of Castile in Madrid; and the rest of the cities, I doubt not, will follow its example." On the spot he gave orders for that purpose;[38] and, notwithstanding the novelty of the practice, and the secret discontents of many persons of distinction, Charles's title was universally recognized. In Aragon, where the privileges of the subject were more extensive, and the abilities as well as authority of the archbishop of Saragossa, whom Ferdinand had appointed regent, were far inferior to those of Ximenes, the same obsequiousness to the will of Charles did not appear, nor was he acknowledged there under any other character but that of prince, until his arrival in Spain.[39]

Ximenes, though possessed only of delegated power, which, from his advanced age, he could not expect to enjoy long, assumed, together with the character of regent, all the ideas natural to a monarch, and adopted schemes for extending the regal authority, which he pursued with as much intrepidity and ardour as if he himself had been to reap the advantages resulting from their success. The exorbitant privileges of the Castilian nobles circumscribed the prerogative of the prince within very narrow limits. These privileges the cardinal considered as so many unjust extortions from the crown, and determined to abridge them. Dangerous as the attempt was, there were circumstances in his situation which promised him greater success than any king of Castile could have expected. His strict and prudent economy of his archiepis-

[36] Minianæ Contin. Marianæ, lib. i. c. 2.—Baudier, Hist. de Ximénès, p. 118.

[37] P. Martyr. Ep., 568.

[38] Gometius, p. 152, etc.—Baudier, Hist. de Ximénès, p. 121.

[39] P. Martyr. Ep., 572.

copal revenues furnished him with more ready money than the crown could at any time command; the sanctity of his manners, his charity and munificence, rendered him the idol of the people; and the nobles themselves, not suspecting any danger from him, did not observe his motions with the same jealous attention as they would have watched those of one of their monarchs.

Immediately upon his accession to the regency, several of the nobles, fancying that the reins of government would, of consequence, be somewhat relaxed, began to assemble their vassals, and to prosecute, by force of arms, private quarrels and pretensions which the authority of Ferdinand had obliged them to dissemble or to relinquish. But Ximenes, who had taken into pay a good body of troops, opposed and defeated all their designs with unexpected vigour and facility; and, though he did not treat the authors of these disorders with any cruelty, he forced them to acts of submission extremely mortifying to the haughty spirit of Castilian grandees.

But while the cardinal's attacks were confined to individuals, and every act of rigour was justified by the appearance of necessity, founded on the forms of justice and tempered with a mixture of lenity, there was scarcely room for jealousy or complaint. It was not so with his next measure, which, by striking at a privilege essential to the nobility, gave a general alarm to the whole order. By the feudal constitution, the military power was lodged in the hands of the nobles, and men of an inferior condition were called into the field only as their vassals and to follow their banners. A king with scanty revenues and a limited prerogative depended on these potent barons in all his operations. It was with their forces he attacked his enemies, and with them he defended his kingdom. While at the head of troops attached warmly to their own immediate lords and accustomed to obey no other commands, his authority was precarious and his efforts feeble. From this state Ximenes resolved to deliver the crown; and as mercenary standing armies were unknown under the feudal government, and would have been odious to a martial and generous people, he issued a proclamation commanding every city in Castile to enroll a certain number of its burgesses, in order that they might be trained to the use of arms on Sundays and holidays; he engaged to provide officers to command them at the public expense, and, as an encouragement to the private men, promised them an exemption from all taxes and impositions. The frequent incursions of the Moors from Africa, and the necessity of having some force always ready to oppose them, furnished a plausible pretence for this innovation. The object really in view was to secure the king a body of troops independent of his barons and which might serve to counterbalance their power.[40] The nobles were not slow in perceiving what was his intention, and saw how effectually the scheme which he had adopted would accomplish his end; but as a measure which had the pious appearance of resisting the progress of the infidels was extremely popular, and as any opposition to it arising from their order alone would have been imputed wholly to interested motives, they endeavoured to excite the cities themselves to refuse obedience and to inveigh against the proclamation as inconsistent with their charters and privileges. In consequence of their instigation, Burgos, Valladolid, and several other cities rose in open mutiny. Some of the grandees declared themselves their protectors. Violent remonstrances were presented to the king. His Flemish councillors were alarmed. Ximenes alone continued firm and undaunted; and, partly by terror, partly by entreaty, by force in some instances, and by forbearance in others, he prevailed on all the refractory cities to comply.[41] During his administration he con-

[40] Minianæ Continuatio Marianæ, fol., Hag., 1733, p. 3.

[41] P. Martyr. Ep., 556, etc.—Gometius, p. 160, etc.

tinued to execute his plan with vigour; but soon after his death it was entirely dropped.

His success in this scheme for reducing the exorbitant power of the nobility encouraged him to attempt a diminution of their possessions, which were no less exorbitant. During the contests and disorders inseparable from the feudal government, the nobles, ever attentive to their own interest, and taking advantage of the weakness or distress of their monarchs, had seized some parts of the royal demesnes, obtained grants of others, and, having gradually wrested almost the whole out of the hands of the prince, had annexed them to their own estates. The titles by which most of the grandees held these lands were extremely defective: it was from some successful usurpation which the crown had been too feeble to dispute, that many derived their only claim to possession. An inquiry carried back to the origin of these encroachments, which were almost coeval with the feudal system, was impracticable; and, as it would have stripped every nobleman in Spain of great part of his lands, it must have excited a general revolt. Such a step was too bold even for the enterprising spirit of Ximenes. He confined himself to the reign of Ferdinand, and, beginning with the pensions granted during that time, refused to make any farther payment, because all right to them expired with his life. He then called to account such as had acquired crown lands under the administration of that monarch, and at once resumed whatever he had alienated. The effects of these revocations extended to many persons of high rank; for though Ferdinand was a prince of little generosity, yet he and Isabella having been raised to the throne of Castile by a powerful faction of the nobles, they were obliged to reward the zeal of their adherents with great liberality, and the royal demesnes were their only fund for that purpose. The addition made to the revenue of the crown by these revocations, together with his own frugal economy, enabled Ximenes not only to discharge all the debts which Ferdinand had left, and to remit considerable sums to Flanders, but to pay the officers of his new militia, and to establish magazines not only more numerous, but better furnished with artillery, arms, and warlike stores, than Spain had ever possessed in any former age.[42] The prudent and disinterested application of these sums was a full apology to the people for the rigour with which they were exacted.

The nobles, alarmed at these repeated attacks, began to think of precautions for the safety of their order. Many cabals were formed, loud complaints were uttered, and desperate resolutions taken; but before they proceeded to extremities they appointed some of their number to examine the powers in consequence of which the cardinal exercised acts of such high authority. The admiral of Castile, the Duke de Infantado, and the Conde de Benevento, grandees of the first rank, were intrusted with this commission. Ximenes received them with cold civility, and, in answer to their demand, produced the testament of Ferdinand, by which he was appointed regent, together with the ratification of that deed by Charles. To both these they objected; and he endeavoured to establish their validity. As the conversation grew warm, he led them insensibly towards a balcony, from which they had a view of a large body of troops under arms, and of a formidable train of artillery. "Behold," says he, pointing to these, and raising his voice, "the powers which I have received from his Catholic majesty. With these I govern Castile; and with these I will govern it until the king, your master and mine, takes possession of his kingdom."[43] A declaration so bold and haughty silenced them and astonished their associates. To take arms against a man aware of his danger and prepared for his defence was what despair alone would dictate. All

[42] Fléchier, Vie de Ximénès, ii. 600.

[43] Ibid., ii. 551.—Ferreras, Hist., viii. 433.

thoughts of a general confederacy against the cardinal's administration were laid aside; and, except for some slight commotions excited by the private resentment of particular noblemen, the tranquillity of Castile suffered no interruption.

It was not only from the opposition of the Spanish nobility that obstacles arose to the execution of the cardinal's schemes; he had a constant struggle to maintain with the Flemish ministers, who, presuming upon their favour with the young king, aimed at directing the affairs of Spain, as well as those of their own country. Jealous of the great abilities and independent spirit of Ximenes, they considered him rather as a rival who might circumscribe their power than as a minister who by his prudence and vigour was adding to the grandeur and authority of their master. Every complaint against his administration was listened to with pleasure by the courtiers in the Low Countries. Unnecessary obstructions were thrown by their means in the way of all his measures; and though they could not either with decency or safety deprive him of the office of regent, they endeavoured to lessen his authority by dividing it. They soon discovered that Adrian of Utrecht, already joined with him in office, had neither genius nor spirit sufficient to give the least check to his proceedings; and therefore Charles, by their advice, added to the commission of regency La Chau, a Flemish gentleman, and afterwards Amerstorf, a nobleman of Holland, the former distinguished for his address, the latter for his firmness. Ximenes, though no stranger to the malevolent intention of the Flemish courtiers, received these new associates with all the external marks of distinction due to the office with which they were invested; but when they came to enter upon business he abated nothing of that air of superiority with which he had treated Adrian, and still retained the sole direction of affairs. The Spaniards, more averse, perhaps, than any other people to the government of strangers, approved of all his efforts to preserve his own authority. Even the nobles, influenced by this national passion and forgetting their jealousies and discontents, chose rather to see the supreme power in the hands of one of their countrymen whom they feared than in those of foreigners, whom they hated.

Ximenes, though engaged in such great schemes of domestic policy and embarrassed by the artifices and intrigues of the Flemish ministers, had the burden of two foreign wars to support. The one was in Navarre, which was invaded by its unfortunate monarch, John d'Albret. The death of Ferdinand, the absence of Charles, the discord and disaffection which reigned among the Spanish nobles, seemed to present him with a favourable opportunity of recovering his dominions. The cardinal's vigilance, however, defeated a measure so well concerted. As he foresaw the danger to which that kingdom might be exposed, one of his first acts of administration was to order thither a considerable body of troops. While the king was employed with one part of his army in the siege of St. Jean Pied en Port, Villalva, an officer of great experience and courage, attacked the other by surprise and cut it to pieces. The king instantly retreated with precipitation, and an end was put to the war.[44] But as Navarre was filled at that time with towns and castles slightly fortified and weakly garrisoned, which, being unable to resist an enemy, served only to furnish him with places of retreat, Ximenes, always bold and decisive in his measures, ordered every one of these to be dismantled, except Pampeluna, the fortifications of which he proposed to render very strong. To this uncommon precaution Spain owes the possession of Navarre. The French, since that period, have often entered and have as often overrun the

[44] P. Martyr. Ep., 570.

open country. While they were exposed to all the inconveniences attending an invading army, the Spaniards have easily drawn troops from the neighbouring provinces to oppose them; and the French, having no place of any strength to which they could retire, have been obliged repeatedly to abandon their conquest with as much rapidity as they gained it.

The other war, which he carried on in Africa against the famous adventurer Horuc Barbarossa, who from a private corsair raised himself, by his singular valour and address, to be king of Algiers and Tunis, was far from being equally successful. The ill conduct of the Spanish general and the rash valour of his troops presented Barbarossa with an easy victory. Many perished in the battle, more in the retreat, and the remainder returned into Spain covered with infamy. The magnanimity, however, with which the cardinal bore this disgrace, the only one he experienced during his administration, added new lustre to his character.[45] Great composure of temper under a disappointment was not expected from a man so remarkable for the eagerness and impatience with which he urged on the execution of all his schemes.

This disaster was soon forgotten; while the conduct of the Flemish court proved the cause of constant uneasiness not only to the cardinal but to the whole Spanish nation. All the great qualities of Chièvres, the prime minister and favourite of the young king, were sullied with an ignoble and sordid avarice. The accession of his master to the crown of Spain opened a new and copious source for the gratification of this passion. During the time of Charles's residence in Flanders the whole tribe of pretenders to offices or to favour resorted thither. They soon discovered that without the patronage of Chièvres it was vain to hope for preferment; nor did they want sagacity to find out the proper method of securing his protection. Great sums of money were drawn out of Spain. Everything was venal and disposed of to the highest bidder. After the example of Chièvres, the inferior Flemish ministers engaged in this traffic, which became as general and avowed as it was infamous.[46] The Spaniards were filled with rage when they beheld offices of great importance to the welfare of their country set to sale by strangers, unconcerned for its honour or its happiness. Ximenes, disinterested in his whole administration, and a stranger, from his native grandeur of mind, to the passion of avarice, inveighed with the utmost boldness against the venality of the Flemings. He represented to the king, in strong terms, the murmurs and indignation which their behaviour excited among a free and high-spirited people, and besought him to set out without loss of time for Spain, that by his presence he might dissipate the clouds which were gathering all over the kingdom.[47]

Charles was fully sensible that he had delayed too long to take possession of his dominions in Spain. Powerful obstacles, however, stood in his way and detained him in the Low Countries. The war which the League of Cambray had kindled in Italy still subsisted; though during its course the armies of all the parties engaged in it had changed their destination and their objects. France was now in alliance with Venice, which it had at first combined to destroy. Maximilian and Ferdinand had for some years carried on hostilities against France, their original ally, to the valour of whose troops the confederacy had been indebted in a great measure for its success. Together with his kingdoms, Ferdinand transmitted this war to his grandson; and there was reason to expect that Maximilian, always fond of new enterprises, would persuade the young monarch to enter into it with ardour. But the Flemings,

[45] Gometius, lib. vi. p. 179. [46] Miniana, Contin., lib. i. c. 2.
[47] P. Martyr. Ep., 576.

who had long possessed an extensive commerce, which during the League of Cambray had grown to a great height upon the ruins of the Venetian trade, dreaded a rupture with France; and Chièvres, sagacious to discern the true interest of his country, and not warped on this occasion by his love of wealth, warmly declared for maintaining peace with the French nation. Francis I., destitute of allies, and solicitous to secure his late conquests in Italy by a treaty, listened with joy to the first overtures of accommodation. Chièvres himself conducted the negotiation in the name of Charles. Gouffier appeared as plenipotentiary for Francis. Each of them had presided over the education of the prince whom he represented. They had both adopted the same pacific system, and were equally persuaded that the union of the two monarchs was the happiest event for themselves, as well as for their kingdoms. In such hands the negotiation did not languish. A few days after opening their conferences at Noyon, they concluded a treaty of confederacy and mutual defence between the two monarchs, the chief articles in which were that Francis should give in marriage to Charles his eldest daughter, the princess Louise, an infant of a year old, and, as her dowry, should make over to him all his claims and pretensions upon the kingdom of Naples; that, in consideration of Charles's being already in possession of Naples, he should, until the accomplishment of the marriage, pay a hundred thousand crowns a year to the French king, and the half of that sum annually as long as the princess had no children; that when Charles shall arrive in Spain the heirs of the king of Navarre may represent to him their right to that kingdom, and if, after examining their claim, he does not give them satisfaction, Francis shall be at liberty to assist them with all his forces.[48] This alliance not only united Charles and Francis, but obliged Maximilian, who was unable alone to cope with the French and Venetians, to enter into a treaty with those powers, which put a final period to the bloody and tedious war that the League of Cambray had occasioned. Europe enjoyed a few years of universal tranquillity, and was indebted for that blessing to two princes whose rivalship and ambition kept it in perpetual discord and agitation during the remainder of their reigns.

By the treaty of Noyon, Charles secured a safe passage into Spain. It was not, however, the interest of his Flemish ministers that he should visit that kingdom soon. While he resided in Flanders, the revenues of the Spanish crown were spent there, and they engrossed, without any competitors, all the effects of their monarch's generosity; their country became the seat of government, and all favours were dispensed by them. Of all these advantages they ran the risk of seeing themselves deprived from the moment that their sovereign entered Spain. The Spaniards would naturally assume the direction of their own affairs; the Low Countries would be considered only as a province of that mighty monarchy; and they who now distributed the favours of the prince to others must then be content to receive them from the hands of strangers. But what Chièvres chiefly wished to avoid was an interview between the king and Ximenes. On the one hand, the wisdom, the integrity, and the magnanimity of that prelate gave him a wonderful ascendant over the minds of men; and it was extremely probable that these great qualities, added to the reverence due to his age and office, would command the respect of a young prince who, capable of noble and generous sentiments himself, would, in proportion to his admiration of the cardinal's virtues, lessen his deference towards persons of another character. Or, on the other hand, if Charles should allow his Flemish favourites to retain all the influence over his

[48] Léonard, Recueil des Traités, tom. ii. p. 69.

councils which they at present possessed, it was easy to foresee that the cardinal would remonstrate loudly against such an indignity to the Spanish nation, and vindicate the rights of his country with the same intrepidity and success with which he had asserted the prerogatives of the crown. For these reasons, all his Flemish councillors combined to retard his departure; and Charles, unsuspicious, from want of experience, and fond of his native country, suffered himself to be unnecessarily detained in the Netherlands a whole year after signing the treaty of Noyon.

The repeated entreaties of Ximenes, the advice of his grandfather Maximilian, and the impatient murmurs of his Spanish subjects, prevailed on him at last to embark. He was attended not only by Chièvres, his prime minister, but by a numerous and splendid train of the Flemish nobles, fond of beholding the grandeur or of sharing in the bounty of their prince. After a dangerous voyage, he landed at Villa Viciosa, in the province of Asturias, and was received with such loud acclamations of joy as a new monarch, whose arrival was so ardently desired, had reason to expect. The Spanish nobility resorted to their sovereign from all parts of the kingdom, and displayed a magnificence which the Flemings were unable to emulate.[49]

Ximenes, who considered the presence of the king as the greatest blessing to his dominions, was advancing towards the coast as fast as the infirm state of his health would permit, in order to receive him. During his regency, and notwithstanding his extreme old age, he had abated in no degree the rigour or frequency of his mortifications; and to these he added such laborious assiduity in business as would have worn out the most youthful and vigorous constitution. Every day he employed several hours in devotion; he celebrated mass in person; he even allotted some space for study. Notwithstanding these occupations, he regularly attended the council; he received and read all papers presented to him; he dictated letters and instructions, and took under his inspection all business, civil, ecclesiastical, or military. Every moment of his time was filled up with some serious employment. The only amusement in which he indulged himself, by way of relaxation after business, was to canvass, with a few friars and other divines, some intricate article in scholastic theology. Wasted by such a course of life, the infirmities of age daily grew upon him. On his journey a violent disorder seized him at Bos Equillos, attended with uncommon symptoms, which his followers considered as the effect of poison,[50] but could not agree whether the crime ought to be imputed to the hatred of the Spanish nobles or to the malice of the Flemish courtiers. This accident obliging him to stop short, he wrote to Charles, and with his usual boldness advised him to dismiss all the strangers in his train, whose numbers and credit gave offence already to the Spaniards and would ere long alienate the affections of the whole people. At the same time, he earnestly desired to have an interview with the king, that he might inform him of the state of the nation and the temper of his subjects. To prevent this, not only the Flemings but the Spanish grandees employed all their address, and industriously kept Charles at a distance from Aranda, the place to which the cardinal had removed. Through their suggestions, every measure that he recommended was rejected, the utmost care was taken to make him feel, and to point out to the whole nation, that his power was on the decline; even in things purely trivial, such a choice was always made as was deemed most disagreeable to him. Ximenes did not bear this treatment with his usual fortitude of spirit. Conscious of his own integrity and merit, he expected a more grateful return from a prince to whom he delivered a kingdom more

[49] P. Martyr. Ep., 599, 601.

[50] Miniana, Contin., lib. i. c. 3.

flourishing than it had been in any former age, together with authority more extensive and better established than the most illustrious of his ancestors had ever possessed. He could not therefore, on many occasions, refrain from giving vent to his indignation and complaints. He lamented the fate of his country, and foretold the calamities which it would suffer from the insolence, the rapaciousness, and ignorance of strangers. While his mind was agitated by these passions, he received a letter from the king, in which, after a few cold and formal expressions of regard, he was allowed to retire to his diocese, that, after a life of such continued labour, he might end his days in tranquillity. This message proved fatal to Ximenes. His haughty mind, it is probable, could not survive disgrace; perhaps his generous heart could not bear the prospect of the misfortunes ready to fall on his country. Whichsoever of these opinions we embrace, certain it is that he expired a few hours after reading the letter.[51] The variety, the grandeur, and the success of his schemes, during a regency of only twenty months, leave it doubtful whether his sagacity in council, his prudence in conduct, or his boldness in execution deserve the greatest praise. His reputation is still high in Spain, not only for wisdom, but for sanctity; and he is the only prime minister mentioned in history whom his contemporaries reverenced as a saint,[52] and to whom the people under his government ascribed the power of working miracles.

Soon after the death of Ximenes, Charles made his public entry, with great pomp, into Valladolid, whither he had summoned the cortes of Castile. Though he assumed on all occasions the name of king, that title had never been acknowledged in the cortes. The Spaniards considering Joanna as possessed of the sole right to the crown, and no example of a son's having enjoyed the title of king during the life of his parents occurring in their history, the cortes discovered all that scrupulous respect for ancient forms, and that aversion to innovation, which are conspicuous in popular assemblies. The presence, however, of their prince, the address, the artifices, and the threats of his ministers, prevailed on them at last to proclaim him king, in conjunction with his mother, whose name they appointed to be placed before that of her son in all public acts. But when they made this concession they declared that if at any future period Joanna should recover the exercise of reason, the whole authority should return into her hands. At the same time, they voted a free gift of six hundred thousand ducats, to be paid in three years, a sum more considerable than had ever been granted to any former monarch.[53]

Notwithstanding this obsequiousness of the cortes to the will of the king, the most violent symptoms of dissatisfaction with his government began to break out in the kingdom. Chièvres had acquired over the mind of the young monarch the ascendant not only of a tutor, but of a parent. Charles seemed to have no sentiments but those which his minister inspired, and scarcely uttered a word but what he put into his mouth. He was constantly surrounded by Flemings; no person got access to him without their permission; nor was any admitted to audience but in their presence. As he spoke the Spanish language very imperfectly, his answers were always extremely short, and often delivered with hesitation. From all these circumstances, many of the Spaniards were led to believe that he was a prince of a slow and narrow genius. Some pretended to discover a strong resemblance between him and his mother, and began to whisper that his capacity for government would never be far superior to hers; and though they who had the best opportunity

[51] Marsollier, Vie de Ximénès, p. 447.—Gometius, lib. vii. p. 206, etc.—Baudier, Hist. de Ximénès, ii. p. 208.

[52] Fléchier, Vie de Ximénès, ii. 746.

[53] Miniana, Contin., lib. i. c. 3.—P. Martyr. Ep., 608.—Sandoval, p. 12.

of judging concerning his character maintained that, notwithstanding such unpromising appearances, he possessed a large fund of knowledge as well as of sagacity,[54] yet all agreed in condemning his partiality towards the Flemings, and his attachment to his favourites, as unreasonable and immoderate. Unfortunately for Charles, these favourites were unworthy of his confidence. To amass wealth seems to have been their only aim; and, as they had reason to fear that either their master's good sense or the indignation of the Spaniards might soon abridge their power, they hastened to improve the present opportunity, and their avarice was the more rapacious because they expected their authority to be of no long duration. All honours, offices, and benefices were either engrossed by the Flemings or publicly sold by them. Chièvres, his wife, and Sauvage, whom Charles, on the death of Ximenes, had imprudently raised to be chancellor of Castile, vied with each other in all the refinements of extortion and venality. Not only the Spanish historians, who, from resentment, may be suspected of exaggeration, but Peter Martyr Angleria, an Italian, who resided at that time in the court of Spain and who was under no temptation to deceive the persons to whom his letters are addressed, give a description which is almost incredible of the insatiable and shameless covetousness of the Flemings. According to Angleria's calculation, which he asserts to be extremely moderate, they remitted into the Low Countries, in the space of ten months, no less a sum than a million and one hundred thousand ducats. The nomination of William de Croy, Chièvres's nephew, a young man not of canonical age, to the archbishopric of Toledo, exasperated the Spaniards more than all these exactions. They considered the elevation of a stranger to the head of their Church and to the richest benefice in the kingdom not only as an injury, but as an insult to the whole nation; both clergy and laity, the former from interest, the latter from indignation, joined in exclaiming against it.[55]

Charles, leaving Castile thus disgusted with his administration, set out for Saragossa, the capital of Aragon, that he might be present in the cortes of that kingdom. On his way thither he took leave of his brother Ferdinand, whom he sent into Germany on the pretence of visiting their grandfather, Maximilian, in his old age. To this prudent precaution Charles owed the preservation of his Spanish dominions. During the violent commotions which arose there soon after this period, the Spaniards would infallibly have offered the crown to a prince who was the darling of the whole nation; nor did Ferdinand want ambition, or counsellors, that might have prompted him to accept of the offer.[56]

The Aragonese had not hitherto acknowledged Charles as king, nor would they allow the cortes to be assembled in his name, but in that of the justiza, to whom during an interregnum this privilege belonged.[57] The opposition Charles had to struggle with in the cortes of Aragon was more violent and obstinate than that which he had overcome in Castile: after long delays, however, and with much difficulty, he persuaded the members to confer on him the title of king, in conjunction with his mother. At the same time he bound himself, by that solemn oath which the Aragonese exacted of their kings, never to violate any of their rights or liberties. When a donative was demanded, the members were still more intractable; many months elapsed before they would agree to grant Charles two hundred thousand ducats, and that sum they appropriated so strictly for paying debts of the crown, which

[54] Sandoval, p. 31.—P. Martyr. Ep., 655.

[55] Sandoval, pp. 28–31.—P. Martyr. Ep., 608, 611, 613, 614, 622, 623, 639.—Miniana, Contin., lib. i. c. 3, p. 8.

[56] P. Martyr. Ep., 619.—Ferreras, viii. 460.

[57] P. Martyr. Ep., 605.

had long been forgotten, that a very small part of it came into the king's hands. What had happened in Castile taught them caution, and determined them rather to satisfy the claims of their fellow-citizens, how obsolete soever, than to furnish strangers the means of enriching themselves with the spoils of their country.[58]

During these proceedings of the cortes, ambassadors arrived at Saragossa from Francis I. and the young king of Navarre, demanding the restitution of that kingdom in terms of the treaty of Noyon. But neither Charles, nor the Castilian nobles whom he consulted on this occasion, discovered any inclination to part with this acquisition. A conference held soon after at Montpellier, in order to bring this matter to an amicable issue, was altogether fruitless: while the French urged the injustice of the usurpation, the Spaniards were attentive only to its importance.[59]

From Aragon, Charles proceeded to Catalonia, where he wasted much time, encountered more difficulties, and gained less money. The Flemings were now become so odious in every province of Spain by their exactions that the desire of mortifying them and of disappointing their avarice augmented the jealousy with which a free people usually conduct their deliberations.

The Castilians, who had felt most sensibly the weight and rigour of the oppressive schemes carried on by the Flemings, resolved no longer to submit with a tameness fatal to themselves, and which rendered them the objects of scorn to their fellow-subjects in the other kingdoms of which the Spanish monarchy was composed. Segovia, Toledo, Seville, and several other cities of the first rank, entered into a confederacy for the defence of their rights and privileges; and, notwithstanding the silence of the nobility, who on this occasion discovered neither the public spirit nor the resolution which became their order, the confederates laid before the king a full view of the state of the kingdom and of the maladministration of his favourites. The preferment of strangers, the exportation of the current coin, the increase of taxes, were the grievances of which they chiefly complained; and of these they demanded redress with that boldness which is natural to a free people. These remonstrances, presented at first at Saragossa, and renewed afterwards at Barcelona, Charles treated with great neglect. The confederacy, however, of these cities, at this juncture, was the beginning of that famous union among the commons of Castile, which not long after threw the kingdom into such violent convulsions as shook the throne and almost overturned the constitution.[60]

Soon after Charles's arrival at Barcelona he received the account of an event which interested him much more than the murmurs of the Castilians or the scruples of the cortes of Catalonia. This was the death of the emperor Maximilian,—an occurrence of small importance in itself, for he was a prince conspicuous neither for his virtues, nor his power, nor his abilities, but rendered by its consequences more memorable than any that had happened during several ages. It broke that profound and universal peace which then reigned in the Christian world; it excited a rivalship between two princes, which threw all Europe into agitation, and kindled wars more general and of longer duration than had hitherto been known in modern times.

The revolutions occasioned by the expedition of the French king, Charles VIII., into Italy, had inspired the European princes with new ideas concerning the importance of the imperial dignity. The claims of the empire upon some of the Italian states were numerous; its jurisdiction over others was extensive; and though the former had been almost abandoned, and the latter

[58] P. Martyr. Ep., 615–634.
[59] Ibid., 635, 643, 640.
[60] P. Martyr. Ep., 630.—Ferreras, viii. 464.

seldom exercised, under princes of slender abilities and of little influence, it was obvious that in the hands of an emperor possessed of power or of genius they might be employed as engines for stretching his dominion over the greater part of that country. Even Maximilian, feeble and unsteady as his conduct always was, had availed himself of the infinite pretensions of the empire, and had reaped advantage from every war and every negotiation in Italy during his reign. These considerations, added to the dignity of the station, confessedly the first among Christian princes, and to the rights inherent in the office, which, if exerted with vigour, were far from being inconsiderable, rendered the imperial crown more than ever an object of ambition.

Not long before his death, Maximilian had discovered great solicitude to preserve this dignity in the Austrian family, and to procure the king of Spain to be chosen his successor. But he himself having never been crowned by the pope, a ceremony deemed essential in that age, was considered only as emperor *elect*. Though historians have not attended to that distinction, neither the Italian nor Germany chancery bestowed any other title upon him than that of King of the Romans; and, no example occurring in history of any person's being chosen a successor to a king of the Romans, the Germans, always tenacious of their forms, and unwilling to confer upon Charles an office for which their constitution knew no name, obstinately refused to gratify Maximilian in that point.[61]

By his death this difficulty was at once removed, and Charles openly aspired to that dignity which his grandfather had attempted, without success, to secure for him. At the same time, Francis I., a powerful rival, entered the lists against him; and the attention of all Europe was fixed upon this competition, no less illustrious from the high rank of the candidates than from the importance of the prize for which they contended. Each of them urged his pretensions with sanguine expectations and with no unpromising prospect of success. Charles considered the imperial crown as belonging to him of right, from its long continuance in the Austrian line; he knew that none of the German princes possessed power or influence enough to appear as his antagonist; he flattered himself that no consideration would induce the natives of Germany to exalt any foreign prince to a dignity which during so many ages had been deemed peculiar to their own nation, and least of all that they would confer this honour upon Francis I., the sovereign of a people whose genius and laws and manners differed so widely from those of the Germans that it was hardly possible to establish any cordial union between them; he trusted not a little to the effect of Maximilian's negotiations, which, though they did not attain their ends, had prepared the minds of the Germans for his elevation to the imperial throne; but what he relied on as a chief recommendation was the fortunate situation of his hereditary dominions in Germany, which served as a natural barrier to the empire against the encroachments of the Turkish power. The conquests, the abilities, and the ambition of Sultan Selim II. had spread over Europe, at that time, a general and well-founded alarm. By his victories over the Mamelukes, and the extirpation of that gallant body of men, he had not only added Egypt and Syria to his empire, but had secured to it such a degree of internal tranquility that he was ready to turn against Christendom the whole force of his arms, which nothing hitherto had been able to resist. The most effectual expedient for stopping the progress of this torrent seemed to be the election of an emperor possessed of extensive territories in that country where its first impression would be felt,

[61] Guicciardini, lib. xiii. p. 15.—Hist. génér. d'Allemagne, par. P. Barre, tom. viii. part. 1, p. 1087.—P. Heuter., Rer. Austr., lib. vii. c. 17, p. 179, lib. viii. c. 2, p. 183.

and who, besides, could combat this formidable enemy with all the forces of a powerful monarchy and with all the wealth furnished by the mines of the New World or the commerce of the Low Countries. These were the arguments by which Charles publicly supported his claim; and to men of integrity and reflection they appeared to be not only plausible, but convincing. He did not, however, trust the success of his cause to these alone. Great sums of money were remitted from Spain; all the refinements and artifices of negotiation were employed; and a considerable body of troops, kept on foot at that time by the states of the circle of Suabia, was secretly taken into his pay. The venal were gained by presents; the objections of the more scrupulous were answered or eluded; some feeble princes were threatened and overawed.[62]

On the other hand, Francis supported his claim with equal eagerness and no less confidence of its being well founded. His emissaries contended that it was now high time to convince the princes of the house of Austria that the imperial crown was elective, and not hereditary; that other persons might aspire to an honour which their arrogance had accustomed them to regard as the property of their family; that it required a sovereign of mature judgment and of approved abilities to hold the reins of government in a country where such unknown opinions concerning religion had been published as had thrown the minds of men into an uncommon agitation, which threatened the most violent effects; that a young prince, without experience, and who had hitherto given no specimens of his genius for command, was no fit match for Selim, a monarch grown old in the art of war and in course of victory; whereas a king who in his early youth had triumphed over the valour and discipline of the Swiss, till then reckoned invincible, would be an antagonist not unworthy the conqueror of the East; that the fire and impetuosity of the French cavalry, added to the discipline and stability of the German infantry, would form an army so irresistible that instead of waiting the approach of the Ottoman forces it might carry hostilities into the heart of their dominions; that the election of Charles would be inconsistent with a fundamental constitution, by which the person who holds the crown of Naples is excluded from aspiring to the imperial dignity; that his elevation to that honour would soon kindle a war in Italy, on account of his pretensions to the duchy of Milan, the effects of which could not fail of reaching the empire and might prove fatal to it.[63] But while the French ambassadors enlarged upon these and other topics of the same kind in all the courts of Germany, Francis, sensible of the prejudices entertained against him as a foreigner, unacquainted with the German language or manners, endeavoured to overcome these, and to gain the favour of the princes, by immense gifts and by infinite promises. As the expeditious method of transmitting money, and the decent mode of conveying a bribe, by bills of exchange, were then little known, the French ambassadors travelled with a train of horses loaded with treasure, an equipage not very honourable for that prince by whom they were employed, and infamous for those to whom they were sent.[64]

The other European princes could not remain indifferent spectators of a contest the decision of which so nearly affected every one of them. Their common interest ought naturally to have formed a general combination, in order to disappoint both competitors and to prevent either of them from obtaining such a pre-eminence in power and dignity as might prove dangerous

[62] Guicc., lib. xiii. p. 159.—Sleidan. History of the Reformation, 14.—Struvii, Corp. Hist. German., ii. 971, not. 20.

[63] Guicc., lib. xiii. p. 160.—Sleid., p. 16.—Geor Sabini de Elect. Car. V.—Historia apud Scardii Script. Rer. German., vol. ii. p. 4.

[64] Mémoires du Maréchal de Fleuranges, p. 296.

to the liberties of Europe. But the ideas with respect to a proper distribution and balance of power were so lately introduced into the system of European policy that they were not hitherto objects of sufficient attention. The passions of some princes, the want of foresight in others, and the fear of giving offence to the candidates, hindered such a salutary union of the powers of Europe, and rendered them either totally negligent of the public safety or kept them from exerting themselves with vigour in its behalf.

The Swiss cantons, though they dreaded the elevation of either of the contending monarchs, and though they wished to have seen some prince whose dominions were less extensive, and whose power was more moderate, seated on the imperial throne, were prompted, however, by their hatred of the French nation, to give an open preference to the pretensions of Charles, while they used their utmost influence to frustrate those of Francis.[65]

The Venetians easily discerned that it was the interest of their republic to have both the rivals set aside; but their jealousy of the house of Austria, whose ambition and neighbourhood had been fatal to their grandeur, would not permit them to act up to their own ideas, and led them hastily to give the sanction of their approbation to the claim of the French king.

It was equally the interest, and more in the power, of Henry VIII. of England to prevent either Francis or Charles from acquiring a dignity which would raise them so far above other monarchs. But, though Henry often boasted that he held the balance of Europe in his hands, he had neither the steady attention, the accurate discernment, nor the dispassionate temper which that delicate function required. On this occasion it mortified his vanity so much, to think that he had not entered early into that noble competition which reflected such honour upon the two antagonists, that he took a resolution of sending an ambassador into Germany and of declaring himself a candidate for the imperial throne. The ambassador, though loaded with caresses by the German princes and the pope's nuncio, informed his master that he could hope for no success in a claim which he had been so late in preferring. Henry, imputing his disappointment to that circumstance alone, and soothed with this ostentatious display of his own importance, seems to have taken no further part in the matter, either by contributing to thwart both his rivals or to promote one of them.[66]

Leo X., a pontiff no less renowned for his political abilities than for his love of the arts, was the only prince of the age who observed the motions of the two contending monarchs with a prudent attention or who discovered a proper solicitude for the public safety. The imperial and papal jurisdiction interfered in so many instances, the complaints of usurpation were so numerous on both sides, and the territories of the Church owed their security so little to their own force and so much to the weakness of the powers around them, that nothing was so formidable to the court of Rome as an emperor with extensive dominions or of enterprising genius. Leo trembled at the prospect of beholding the imperial crown placed on the head of the king of Spain and of Naples and the master of the New World; nor was he less afraid of seeing a king of France, who was duke of Milan and lord of Genoa, exalted to that dignity. He foretold that the election of either of them would be fatal to the independence of the holy see, to the peace of Italy, and perhaps to the liberties of Europe. But to oppose them with any prospect of success required address and caution in proportion to the greatness of their power and their opportunities of taking revenge. Leo was defective in neither. He secretly exhorted the German princes to place one of their own number on the imperial throne, which many

[65] Sabinus, p. 6. [66] Mémoires de Fleuranges, 314.—Herbert, History of Henry VIII.

of them were capable of filling with honour. He put them in mind of the constitution by which the kings of Naples were for ever excluded from that dignity.[67] He warmly exhorted the French king to persist in his claim, not from any desire that he should gain his end, but, as he foresaw that the Germans would be more disposed to favour the king of Spain, he hoped that Francis himself, when he discovered his own chance of success to be desperate, would be stimulated by resentment and the spirit of rivalship to concur with all his interest in raising some third person to the head of the empire; or, on the other hand, if Francis should make an unexpected progress, he did not doubt but that Charles would be induced, by similar motives, to act the same part; and thus, by a prudent attention, the mutual jealousy of the two rivals might be so dexterously managed as to disappoint both. But this scheme, the only one which a prince in Leo's situation could adopt, though concerted with great wisdom, was executed with little discretion. The French ambassadors in Germany fed their master with vain hopes; the pope's nuncio, being gained by them, altogether forgot the instructions which he had received; and Francis persevered so long and with such obstinacy in urging his own pretensions as rendered all Leo's measures abortive.[68]

Such were the hopes of the candidates, and the views of the different princes, when the diet was opened according to form at Frankfort. The right of choosing an emperor had long been vested in seven great princes, distinguished by the name of electors, the origin of whose office, as well as the nature and extent of their powers, have already been explained. These were, at that time, Albert of Brandenburg, archbishop of Mentz; Herman Count de Wied, archbishop of Cologne; Richard de Greiffenklau, archbishop of Triers; Lewis, king of Bohemia; Lewis, count palatine of the Rhine; Frederic, duke of Saxony; and Joachim I., marquis of Brandenburg. Notwithstanding the artful arguments produced by the ambassadors of the two kings in favour of their respective masters, and in spite of all their solicitations, intrigues, and presents, the electors did not forget that maxim on which the liberty of the German constitution was thought to be founded. Among the members of the Germanic body, which is a great republic composed of states almost independent, the first principle of patriotism is to depress and limit the power of the emperor; and of this idea, so natural under such a form of government, a German politician seldom loses sight. No prince of considerable power or extensive dominions had for some ages been raised to the imperial throne. To this prudent precaution many of the great families in Germany owed the splendour and independence which they had acquired during that period. To elect either of the contending monarchs would have been a gross violation of that salutary maxim, would have given to the empire a master instead of a head, and would have reduced themselves from the rank of being almost his equals to the condition of his subjects.

Full of these ideas, all the electors turned their eyes towards Frederic, duke of Saxony, a prince of such eminent virtue and abilities as to be distinguished by the name of the *sage*, and with one voice they offered him the imperial crown. He was not dazzled with that object, which monarchs so far superior to him in power courted with such eagerness; and, after deliberating upon the matter a short time, he rejected it with a magnanimity and disinterestedness no less singular than admirable. "Nothing," he observed, "could be more impolitic than an obstinate adherence to a maxim which, though sound and just in many cases, was not applicable to all. In times of tranquillity," said

[67] Goldasti Constitutiones Imperiales, Francof., 1763, vol. i. p. 439.
[68] Guicciar., lib. xiii. p. 161.

he, "we wish for an emperor who has not power to invade our liberties; times of danger demand one who is able to secure our safety. The Turkish armies, led by a gallant and victorious monarch, are now assembling. They are ready to pour in upon Germany with a violence unknown in former ages. New conjectures call for new expedients. The imperial sceptre must be committed to some hand more powerful than mine or that of any other German prince. We possess neither dominions, nor revenues, nor authority, which enable us to encounter such a formidable enemy. Recourse must be had in this exigency to one of the rival monarchs. Each of them can bring into the field forces sufficient for our defence. But as the king of Spain is of German extraction, as he is a member and prince of the empire by the territories which descend to him from his grandfather, as his dominions stretch along that frontier which lies most exposed to the enemy, his claim is preferable, in my opinion, to that of a stranger to our language, to our blood, and to our country; and therefore I give my vote to confer on him the imperial crown."

This opinion, dictated by such uncommon generosity and supported by arguments so plausible, made a deep impression on the electors. The king of Spain's ambassadors, sensible of the important service which Frederic had done their master, sent him a considerable sum of money, as the first token of that prince's gratitude. But he who had greatness of mind to refuse a crown disdained to receive a bribe; and, upon their entreating that at least he would permit them to distribute part of that sum among his attendants, he replied that he could not prevent them from accepting what should be offered, but whoever took a single florin should be dismissed next morning from his service.[69]

No prince in Germany could now aspire to a dignity which Frederic had declined, for reasons applicable to them all. It remained to make a choice between the two great competitors. But besides the prejudice in Charles's favour arising from his birth, as well as the situation of his German dominions, he owed not a little to the abilities of the Cardinal de Gurk, and the zeal of Erard de la Mark, bishop of Liège, two of his ambassadors, who had conducted their negotiations with more prudence and address than those intrusted by the French king. The former, who had long been the minister and favourite of Maximilian, was well acquainted with the art of managing the Germans; and the latter, having been disappointed of a cardinal's hat by Francis, employed all the malicious ingenuity with which the desire for revenge inspires an ambitious mind, in thwarting the measures of that monarch. The Spanish party among the electors daily gained ground; and even the pope's nuncio, being convinced that it was vain to make any further opposition, endeavoured to acquire some merit with the future emperor, by offering voluntarily, in the name of his master, a dispensation to hold the imperial crown in conjunction with that of Naples.[70]

[69] P. Daniel, an historian of considerable name, seems to call in question the truth of this account of Frederic's behaviour in refusing the imperial crown, because it is not mentioned by Georgius Sabinus in his History of the Election and Coronation of Charles V., tom. iii. p. 63. But no great stress ought to be laid on an omission in a superficial author, whose treatise, though dignified with the name of History, contains only such an account of the ceremonial of Charles's election as is usually published in Germany on like occasions. (Scard. Rer. Germ. Script, vol. ii. p. 1.) The testimony of Erasmus, lib. xiii. epist. 4, and that of Sleidan, p 18, are express. Seckendorf, in his Commentarius Historicus et Apologeticus de Lutheranismo, p. 121, has examined this fact with his usual industry, and has established its truth by the most undoubted evidence. To these testimonies which he has collected, I may add the decisive one of Cardinal Cajetan, the pope's legate at Frankfort, in his letter, July 5th, 1519. Epistres des Princes, &c., recueillies par Ruscelli, traduictes par Belforest, Par., 1572, p. 60.

[70] Freheri Rer. German. Scriptores, vol. iii.

On the 28th of June, five months and ten days after the death of Maximilian, this important contest, which had held all Europe in suspense, was decided. Six of the electors had already declared for the king of Spain; and the archbishop of Triers, the only firm adherent to the French interest, having at last joined his brethren, Charles was, by the unanimous voice of the electoral college, raised to the imperial throne.[71]

But though the electors consented, from various motives, to promote Charles to that high station, they discovered at the same time great jealousy of his extraordinary power, and endeavoured, with the utmost solicitude, to provide against his encroaching on the privileges of the Germanic body. It had long been the custom to demand of every new emperor a confirmation of these privileges, and to require a promise that he never would violate them in any instance. While princes who were formidable neither from extent of territory nor of genius possessed the imperial throne, a general and verbal engagement to this purpose was deemed sufficient security. But, under an emperor so powerful as Charles, other precautions seemed necessary. A *capitulation*, or claim of right, was formed, in which the privileges and immunities of the electors, of the princes of the empire, of the cities, and of every other member of the Germanic body, are enumerated. This capitulation was immediately signed by Charles's ambassadors in the name of their master, and he himself, at his coronation, confirmed it in the most solemn manner. Since that period, the electors have continued to prescribe the same conditions to all his successors: and the capitulation, or mutual contract between the emperor and his subjects, is considered in Germany as a strong barrier against the progress of the imperial power, and as the great charter of their liberties, to which they often appeal.[72]

The important intelligence of his election was conveyed in nine days from Frankfort to Barcelona, where Charles was still detained by the obstinacy of the Catalonian cortes, which had not hitherto brought to an issue any of the affairs which came before it. He received the account with the joy natural to a young and aspiring mind on an accession of power and dignity which raised him so far above the other princes of Europe. Then it was that those vast prospects which allured him during his whole administration began to open, and from this era we may date the formation, and are able to trace the gradual progress, of a grand system of enterprising ambition, which renders the history of his reign so worthy of attention.

A trivial circumstance first discovered the effects of this great elevation on the mind of Charles. In all the public writs which he now issued as king of Spain, he assumed the title of *majesty*, and required it from his subjects as a mark of their respect. Before that time, all the monarchs of Europe were satisfied with the appellation of *highness* or *grace;* but the vanity of other courts soon led them to imitate the example of the Spanish. The epithet of majesty is no longer a mark of pre-eminence. The most inconsiderable monarchs in Europe enjoy it, and the arrogance of the greater potentates has invented no higher denominations.[73]

The Spaniards were far from viewing the promotion of their king to the imperial throne with the same satisfaction which he himself felt. To be deprived of the presence of their sovereign, and to be subjected to the

172, cur. Struvii, Argent., 1717.—Giannone, Hist. of Naples, ii. 498.

[71] Jac. Aug. Thuan., Hist. sui Temporis, edit. Bulkley, lib. i. c. 9.

[72] Pfeffel, Abrégé de l'Histoire du Droit publique d'Allemagne, 590.—Limnei Capitulat. Imp.—Epistres des Princes par Ruscelli, p. 60.

[73] Miniane, Contin. Mar., p 13.—Ferreras, viii. 475.—Mémoires Hist. de la Houssaie, tom. i. p. 53, etc.

government of a viceroy and his council, a species of administration often oppressive and always disagreeable, were the immediate and necessary consequences of this new dignity. To see the blood of their countrymen shed in quarrels wherein the nation had no concern, to behold its treasures wasted in supporting the splendour of a foreign title, to be plunged in the chaos of Italian and German politics, were effects of this event almost as unavoidable. From all these considerations, they concluded that nothing could have happened more pernicious to the Spanish nation; and the fortitude and public spirit of their ancestors, who, in the cortes of Castile, prohibited Alphonso the Wise from leaving the kingdom in order to receive the imperial crown, were often mentioned with the highest praise, and pronounced to be extremely worthy of imitation at this juncture.[74]

But Charles, without regarding the sentiments or murmurs of his Spanish subjects, accepted of the imperial dignity which the count palatine, at the head of a solemn embassy, offered him in the name of the electors, and declared his intention of setting out soon for Germany in order to take possession of it. This was the more necessary because, according to the forms of the German constitution, he could not, before the ceremony of a public coronation, exercise any act of jurisdiction or authority.[75]

Their certain knowledge of this resolution augmented so much the disgust of the Spaniards that a sullen and refractory spirit prevailed among persons of all ranks. The pope having granted the king the tenths of all ecclesiastical benefices in Castile, to assist him in carrying on war with greater vigour against the Turks, a convocation of the clergy unanimously refused to levy that sum, upon pretence that it ought never to be exacted but at those times when Christendom was actually invaded by the infidels; and though Leo, in order to support his authority, laid the kingdom under an interdict, so little regard was paid to a censure which was universally deemed unjust, that Charles himself applied to have it taken off. Thus the Spanish clergy, besides their merit in opposing the usurpations of the pope and disregarding the influence of the crown, gained the exemption which they had claimed.[76]

The commotions which arose in the kingdom of Valencia, annexed to the crown of Aragon, were more formidable, and produced more dangerous and lasting effects. A seditious monk having by his sermons excited the citizens of Valencia, the capital city, to take arms, and to punish certain criminals in a tumultuary manner, the people, pleased with this exercise of power, and with such a discovery of their own importance, not only refused to lay down their arms, but formed themselves into troops and companies, that they might be regularly trained to martial exercises. To obtain some security against the oppression of the grandees was the motive of this association, and proved a powerful bond of union; for as the aristocratical privileges and independence were more complete in Valencia than in any other of the Spanish kingdoms, the nobles, being scarcely accountable for their conduct to any superior, treated the people not only as vassals but as slaves. They were alarmed, however, at the progress of this unexpected insurrection, as it might encourage the people to attempt shaking off the yoke altogether; but, as they could not repress them without taking arms, it became necessary to have recourse to the emperor, and to desire his permission to attack them. At the same time the people made choice of deputies to represent their grievances and to implore the protection of their sovereign. Happily for the latter, they arrived at court when Charles was exasperated to a high degree against the nobility. As

[74] Sandoval, i. p. 32.—Minianæ, Contin., p. 13.

[75] Sabinus, P. Barre, viii. 1085.

[76] P. Martyr. Ep., 462.—Ferreras, viii. 473.

he was eager to visit Germany, where his presence became every day more necessary, and as his Flemish courtiers were still more impatient to return into their native country, that they might carry thither the spoils which they had amassed in Castile, it was impossible for him to hold the cortes of Valencia in person. He had for that reason empowered the Cardinal Adrian to represent him in that assembly, and in his name to receive their oath of allegiance, to confirm their privileges with the usual solemnities, and to demand of them a free gift. But the Valencian nobles, who considered this measure as an indignity to their country, which was no less entitled than his other kingdoms to the honour of their sovereign's presence, declared that by the fundamental laws of the constitution they could neither acknowledge as king a person who was absent, nor grant him any subsidy; and to this declaration they adhered with a haughty and inflexible obstinacy. Charles, piqued by their behaviour, decided in favour of the people, and rashly authorized them to continue in arms. Their deputies returned in triumph, and were received by their fellow-citizens as the deliverers of their country. The insolence of the multitude increasing with their success, they expelled all the nobles out of the city, committed the government to magistrates of their own election, and entered into an association, distinguished by the name of *germanada* or *brotherhood*, which proved the source not only of the wildest disorders, but of the most fatal calamities, in that kingdom.[77]

Meanwhile, the kingdom of Castile was agitated with no less violence. No sooner was the emperor's intention to leave Spain made known, than several cities of the first rank resolved to remonstrate against it, and to crave redress once more of those grievances which they had formerly laid before him. Charles artfully avoided admitting their deputies to audience; and, as he saw from this circumstance how difficult it would be at this juncture to restrain the mutinous spirit of the greater cities, he summoned the cortes of Castile to meet at Compostella, a town in Galicia. His only reason for calling that assembly was the hope of obtaining another donative; for, as his treasury had been exhausted in the same proportion that the riches of his ministers increased, he could not, without some additional aid, appear in Germany with splendour suited to the imperial dignity. To appoint a meeting of the cortes in so remote a province, and to demand a new subsidy before the time for paying the former was expired, were innovations of a most dangerous tendency, and among a people not only jealous of their liberties, but accustomed to supply the wants of their sovereigns with a very frugal hand, excited a universal alarm. The magistrates of Toledo remonstrated against both these measures in a very high tone; the inhabitants of Valladolid, who expected that the cortes should have been held in that city, were so enraged that they took arms in a tumultuary manner; and if Charles, with his foreign counsellors, had not fortunately made their escape during a violent tempest, they would have massacred all the Flemings, and have prevented him from continuing his journey towards Compostella.

Every city through which he passed petitioned against holding a cortes in Galicia, a point with regard to which Charles was inflexible. But though the utmost influence had been exerted by the ministers in order to procure a choice of representatives favourable to their designs, such was the temper of the nation that at the opening of the assembly there appeared among many of the members unusual symptoms of ill-humour, which threatened a fierce opposition to all the measures of the court. No representatives were sent by Toledo; for the lot, according to which, by ancient custom, the election was

[77] P. Martyr. Ep., 651.—Ferreras, viii. 376, 485.

determined in that city, having fallen upon two persons devoted to the Flemish ministers, their fellow-citizens refused to grant them a commission in the usual form, and in their stead made choice of two deputies, whom they empowered to repair to Compostella and to protest against the lawfulness of the cortes assembled there. The representatives of Salamanca refused to take the usual oath of fidelity unless Charles consented to change the place of meeting. Those of Toro, Madrid, Cordova, and several other places declared the demand of another donative to be unprecedented, unconstitutional, and unnecessary. All the arts, however, which influence popular assemblies, bribes, promises, threats, and even force, were employed in order to gain members. The nobles, soothed by the respectful assiduity with which Chièvres and the other Flemings paid court to them, or instigated by a mean jealousy of that spirit of independence which they saw rising among the commons, openly favoured the pretensions of the court, or at the utmost did not oppose them; and at last, in contempt not only of the sentiments of the nation, but of the ancient forms of the constitution, a majority voted to grant the donative for which the emperor had applied.[78] Together with this grant, the cortes laid before Charles a representation of those grievances whereof his people complained, and in their name craved redress; but he, having obtained from them all that he could expect, paid no attention to this ill-timed petition, which it was no longer dangerous to disregard.[79]

As nothing now retarded his embarkation, he disclosed his intention with regard to the regency of Castile during his absence, which he had hitherto kept secret, and nominated Cardinal Adrian to that office. The viceroyalty of Aragon he conferred on Don John de Lanuza; that of Valencia on Don Diego de Mendoza, Conde de Melito. The choice of the two latter was universally acceptable; but the advancement of Adrian, though the only Fleming who had preserved any reputation among the Spaniards, animated the Castilians with new hatred against foreigners; and even the nobles, who had so tamely suffered other inroads upon the constitution, felt the indignity offered to their own order by his promotion, and remonstrated against it as being illegal. But Charles's desire of visiting Germany, as well as the impatience of his ministers to leave Spain, were now so much increased that, without attending to the murmurs of the Castilians, or even taking time to provide any remedy against an insurrection in Toledo, which at that time threatened, and afterwards produced, most formidable effects, he sailed from Corunna on the 22nd of May; and by setting out so abruptly in quest of a new crown he endangered a more important one of which he was already in possession.[80]

[78] P. Martyr. Ep., 663.—Sandoval, p. 32, etc.

[79] Sandoval, p 84.

[80] P. Martyr. Ep., 670.—Sandoval, p. 86.

BOOK II.

Rivalry between Charles and Francis I. for the Empire—They negotiate with the Pope, the Venetians, and Henry VIII. of England—Character of the latter—Cardinal Wolsey—Charles visits England—Meeting between Henry VIII. and Francis I.—Coronation of Charles—Solyman the Magnificent—The Diet convoked at Worms—The Reformation—Sale of Indulgences by Leo X.—Tetzel—Luther—Progress of his Opinions—Is summoned to Rome—His Appearance before the Legate—He appeals to a General Council—Luther questions the Papal Authority—Reformation in Switzerland—Excommunication of Luther—Reformation in Germany—Causes of the Progress of the Reformation—The Corruption in the Roman Church—Power and Ill-Conduct of the Clergy—Venality of the Roman Court—Effects of the Invention of Printing—Erasmus—The Diet at Worms—Edict against Luther—He is seized and confined at Wartburg—His Doctrines condemned by the University of Paris, and controverted by Henry VIII. of England—Henry VIII. favours the Emperor Charles against Francis I.—Leo X. makes a Treaty with Charles—Death of Chièvres—Hostilities in Navarre and in the Low Countries—Siege of Mézières—Congress at Calais—League against France—Hostilities in Italy—Death of Leo X.—Defeat of the French—Henry VIII. declares War against France—Charles visits England—Conquest of Rhodes by Solyman.

MANY concurring circumstances not only called Charles's thoughts towards the affairs of Germany, but rendered his presence in that country necessary. The electors grew impatient of so long an interregnum; his hereditary dominions were disturbed by intestine commotions; and the new opinions concerning religion made such rapid progress as required the most serious consideration. But, above all, the motions of the French king drew his attention, and convinced him that it was necessary to take measures for his own defence with no less speed than vigour.

When Charles and Francis entered the lists as candidates for the imperial dignity, they conducted their rivalship with many professions of regard for each other, and with repeated declarations that they would not suffer any tincture of enmity to mingle itself with this honourable emulation. "We both court the same mistress," said Francis, with his usual vivacity; "each ought to urge his suit with all the address of which he is master: the most fortunate will prevail, and the other must rest contented."[1] But though two young and high-spirited princes, and each of them animated with the hope of success, might be capable of forming such a generous resolution, it was soon found that they promised upon a moderation too refined and disinterested for human nature. The preference given to Charles in the sight of all Europe mortified Francis extremely, and inspired him with all the passions natural to disappointed ambition. To this was owing the personal jealousy and rivalship which subsisted between the two monarchs during their whole reign; and the rancour of these, augmented by a real opposition of interest, which gave rise to many unavoidable causes of discord, involved them in almost perpetual hostilities. Charles had paid no regard to the principal article in the treaty of Noyon, by refusing oftener than once to do justice to John d'Albret, the excluded monarch of Navarre, whom Francis was bound in honour and

[1] Guic., lib. xiii. p. 159.

prompted by interest to restore to his throne. The French king had pretensions to the crown of Naples, of which Ferdinand had deprived his predecessor by a most unjustifiable breach of faith. The emperor might reclaim the duchy of Milan as a fief of the empire, which Francis had seized, and still kept in possession, without having received investiture of it from the emperor. Charles considered the duchy of Burgundy as the patrimonial domain of his ancestors, wrested from them by the unjust policy of Louis XI., and observed with the greatest jealousy the strict connections which Francis had formed with the duke of Gueldres, the hereditary enemy of his family.

When the sources of discord were so many and various, peace could be of no long continuance, even between princes the most exempt from ambition or emulation. But as the shock between two such mighty antagonists could not fail of being extremely violent, they both discovered no small solicitude about its consequences, and took time not only to collect and to ponder their own strength and to compare it with that of their adversary, but to secure the friendship or assistance of the other European powers.

The pope had equal reason to dread the two rivals, and saw that he who prevailed would become absolute master in Italy. If it had been in his power to engage them in hostilities without rendering Lombardy the theatre of war, nothing would have been more agreeable to him than to see them waste each other's strength in endless quarrels. But this was impossible. Leo foresaw that on the first rupture between the two monarchs the armies of France and Spain would take the field in the Milanese; and while the scene of their operations was so near, and the subject for which they contended so interesting to him, he could not long remain neuter. He was obliged, therefore, to adapt his plan of conduct to his political situation. He courted and soothed the emperor and king of France with equal industry and address. Though warmly solicited by each of them to espouse his cause, he assumed all the appearances of entire impartiality, and attempted to conceal his real sentiments under that profound dissimulation which seems to have been affected by most of the Italian politicians in that age.

The views and interests of the Venetians were not different from those of the pope; nor were they less solicitous to prevent Italy from becoming the seat of war, and their own republic from being involved in the quarrel. But through all Leo's artifices, and notwithstanding his high pretensions to a perfect neutrality, it was visible that he leaned towards the emperor, from whom he had both more to fear and more to hope than from Francis; and it was equally manifest that if it became necessary to take a side the Venetians would, from motives of the same nature, declare for the king of France. No considerable assistance, however, was to be expected from the Italian states, who were jealous to an extreme degree of the Transalpine powers, and careful to preserve the balance even between them, unless when they were seduced to violate this favourite maxim of their policy by the certain prospect of some great advantage to themselves.

But the chief attention both of Charles and of Francis was employed in order to gain the king of England, from whom each of them expected assistance more effectual and afforded with less political caution. Henry VIII. had ascended the throne of that kingdom in the year 1509, with such circumstances of advantage as promised a reign of distinguished felicity and splendour. The union in his person of the two contending titles of York and Lancaster, the alacrity and emulation with which both factions obeyed his commands, not only enabled him to exert a degree of vigour and authority in his domestic government which none of his predecessors could have safely assumed, but

permitted him to take a share in the affairs of the Continent, from which the attention of the English had long been diverted by their unhappy intestine divisions. The great sums of money which his father had amassed rendered him the most wealthy prince in Europe. The peace which had subsisted under the cautious administration of that monarch had been of sufficient length to recruit the population of the kingdom after the desolation of the civil wars, but not so long as to enervate its spirit; and the English, ashamed of having rendered their own country so long a scene of discord and bloodshed, were eager to display their valour in some foreign war, and to revive the memory of the victories gained on the Continent by their ancestors. Henry's own temper perfectly suited the state of his kingdom and the disposition of his subjects. Ambitious, active, enterprising, and accomplished in all the martial exercises which in that age formed a chief part in the education of persons of noble birth and inspired them with an early love of war, he longed to engage in action, and to signalize the beginning of his reign by some remarkable exploit. An opportunity soon presented itself; and the victory at Guinegate, together with the successful sieges of Terouenne and Tournay, though of little utility to England, reflected great lustre on its monarch, and confirmed the idea which foreign princes entertained of his power and consequence. So many concurring causes, added to the happy situation of his own dominions, which secured them from foreign invasion, and to the fortunate circumstance of his being in possession of Calais, which served not only as a key to France, but opened an easy passage into the Netherlands, rendered the king of England the natural guardian of the liberties of Europe, and the arbiter between the emperor and French monarch. Henry himself was sensible of this singular advantage, and convinced that, in order to preserve the balance even, it was his office to prevent either of the rivals from acquiring such superiority of power as might be fatal to the other, or formidable to the rest of Christendom. But he was destitute of the penetration, and still more of the temper, which such a delicate function required. Influenced by caprice, by vanity, by resentment, by affection, he was incapable of forming any regular and extensive system of policy or of adhering to it with steadiness. His measures seldom resulted from attention to the general welfare or from a deliberate regard to his own interest, but were dictated by passions which rendered him blind to both, and prevented his gaining that ascendant in the affairs of Europe, or from reaping such advantages to himself, as a prince of greater art, though with inferior talents, might have easily secured.

All the impolitic steps in Henry's administration must not, however, be imputed to defects in his own character; many of them were owing to the violent passions and insatiable ambition of his prime minister and favourite, Cardinal Wolsey. This man, from one of the lowest ranks in life, had risen to a height of power and dignity to which no English subject ever arrived, and governed the haughty, presumptuous, and untractable spirit of Henry with absolute authority. Great talents, and of very different kinds, fitted him for the two opposite stations of minister and of favourite. His profound judgment, his unwearied industry, his thorough acquaintance with the state of the kingdom, his extensive knowledge of the views and interest of foreign courts, qualified him for that uncontrolled direction of affairs with which he was intrusted. The elegance of his manners, the gayety of his conversation, his insinuating address, his love of magnificence, and his proficiency in those parts of literature of which Henry was fond, gained him the affection and confidence of the young monarch. Wolsey was far from employing this vast and almost royal power to promote either the true interest of the nation or the real

grandeur of his master. Rapacious at the same time, and profuse, he was insatiable in desiring wealth. Of boundless ambition, he aspired after new honours with an eagerness unabated by his former success; and being rendered presumptuous by his uncommon elevation, as well as by the ascendant which he had gained over a prince who scarcely brooked advice from any other person, he discovered in his whole demeanour the most overbearing haughtiness and pride. To these passions he himself sacrificed every consideration; and whoever endeavoured to obtain his favour, or that of his master, found it necessary to soothe and to gratify them.

As all the states of Europe sought Henry's friendship at that time, all courted his minister with incredible attention and obsequiousness, and strove, by presents, by promises, or by flattery, to work upon his avarice, his ambition, or his pride.[2] Francis had, in the year 1518, employed Bonnivet, admiral of France, one of his most accomplished and artful courtiers, to gain this haughty prelate. He himself bestowed on him every mark of respect and confidence. He consulted him with regard to his most important affairs, and received his responses with implicit deference. By these arts, together with the grant of a large pension, Francis attached the cardinal to his interest, who persuaded his master to surrender Tournay to France, to conclude a treaty of marriage between his daughter, the princess Mary, and the dauphin, and to consent to a personal interview with the French king.[3] From that time the most familiar intercourse subsisted between the two courts; Francis, sensible of the great value of Wolsey's friendship, laboured to secure the continuance of it by every possible expression of regard, bestowing on him, in all his letters, the honourable appellations of father, tutor, and governor.

Charles observed the progress of this union with the utmost jealousy and concern. His near affinity to the king of England gave him some title to his friendship; and soon after his accession to the throne of Castile he had attempted to ingratiate himself with Wolsey, by settling on him a pension of three thousand livres. His chief solicitude at present was to prevent the intended interview with Francis, the effects of which upon two young princes, whose hearts were no less susceptible of friendship than their manners were capable of inspiring it, he extremely dreaded. But after many delays, occasioned by difficulties with respect to the ceremonial, and by the anxious precautions of both courts for the safety of their respective sovereigns, the time and place of meeting were at last fixed. Messengers had been sent to different courts, inviting all comers who were gentlemen to enter the lists at tilt and tournament against the two monarchs and their knights. Both Francis and Henry loved the splendour of these spectacles too well, and were too much delighted with the graceful figure which they made on such occasions, to forego the pleasure or glory which they expected from such a singular and brilliant assembly. Nor was the cardinal less fond of displaying his own magnificence in the presence of two courts, and of discovering to the two nations the extent of his influence over both their monarchs. Charles, finding it impossible to prevent the interview, endeavoured to disappoint its effects, and to preoccupy the favour of the English monarch and his minister by an act of complaisance still more flattering and more uncommon. Having sailed from Corunna, as has already been related, he steered his course directly towards England, and, relying wholly on Henry's generosity for his own safety, landed at Dover. This unexpected visit surprised the nation. Wolsey, however, was well acquainted with the emperor's intention. A negotiation,

[2] Fiddes's Life of Wolsey, 166.—Rymer's Fœdera, xiii. 718.

[3] Herbert's History of Henry VIII., 30.—Rymer, xiii. 624.

unknown to the historians of that age, had been carried on between him and the court of Spain; this visit had been concerted; and Charles granted the cardinal, whom he calls his *most dear friend*, an additional pension of seven thousand ducats.[4] Henry, who was then at Canterbury, in his way to France, immediately despatched Wolsey to Dover in order to welcome the emperor, and, being highly pleased with an event so soothing to his vanity, hastened to receive with suitable respect a guest who had placed in him such unbounded confidence. Charles, to whom time was precious, stayed only four days in England; but during that short space he had the address not only to give Henry favourable impressions of his character and intentions, but to detach Wolsey entirely from the interest of the French king. All the grandeur, the wealth, and the power which the cardinal possessed did not satisfy his ambitious mind while there was one step higher to which an ecclesiastic could ascend. The papal dignity had for some time been the object of his wishes; and Francis, as the most effectual method of securing his friendship, had promised to favour his pretensions, on the first vacancy, with all his interest. But as the emperor's influence in the college of cardinals was greatly superior to that of the French king, Wolsey grasped eagerly at the offer which that artful prince had made him, of exerting it vigorously in his behalf; and, allured by this prospect, which under the pontificate of Leo, still in the prime of his life, was a very distant one, he entered with warmth into all the emperor's schemes. No treaty, however, was concluded at that time between the two monarchs; but Henry, in return for the honour which Charles had done him, promised to visit him in some place of the Low Countries immediately after taking leave of the French king.

His interview with that prince was in an open plain between Guisnes and Ardres, where the two kings and their attendants displayed their magnificence with such emulation and profuse expense as procured it the name of the *Field of the Cloth of Gold*. Feats of chivalry, parties of gallantry, together with such exercises and pastimes as were in that age reckoned manly or elegant, rather than serious business, occupied both courts during eighteen days that they continued together.[5] Whatever impression the engaging manners of Francis, or the liberal and unsuspicious confidence with which he treated Henry, made on the mind of that monarch, was soon effaced by Wolsey's artifices, or by an interview he had with the emperor at Gravelines, which was conducted with less pomp than that near Guisnes, but with greater attention to what might be of political utility.

This assiduity with which the two greatest monarchs in Europe paid court to Henry appeared to him a plain acknowledgment that he held the balance in his hands, and convinced him of the justness of the motto he had chosen, "That whoever he favoured would prevail." In this opinion he was confirmed

[4] Rymer, xiii. 714.

[5] The French and English historians describe the pomp of this interview, and the various spectacles, with great minuteness. One circumstance mentioned by the Maréschal de Fleuranges, who was present, and which must appear singular in the present age, is commonly omitted. "After the tournament," says he, "the French and English wrestlers made their appearance, and wrestled in presence of the kings and the ladies; and as there were many stout wrestlers there, it afforded excellent pastime; but as the king of France had neglected to bring any wrestlers out of Bretagne, the English gained the prize. After this, the kings of France and England retired to a tent, where they drank together, and the king of England, seizing the king of France by the collar, said, '*My brother, I must wrestle with you*,' and endeavoured once or twice to trip up his heels; but the king of France, who is a dexterous wrestler, twisted him round, and threw him on the earth with prodigious violence. The king of England wanted to renew the combat, but was prevented." Mémoires de Fleuranges, 12mo, Paris, 1753, p. 329.

by an offer which Charles made, of submitting any difference that might arise between him and Francis to his sole arbitration. Nothing could have the appearance of greater candour and moderation than the choice of a judge who was reckoned the common friend of both. But, as the emperor had now attached Wolsey entirely to his interest, no proposal could be more insidious, nor, as appeared by the sequel, more fatal to the French king.[6]

Charles, notwithstanding his partial fondness for the Netherlands, the place of his nativity, made no long stay there, and, after receiving the homage and congratulations of his countrymen, hastened to Aix-la-Chapelle, the place appointed by the golden bull for the coronation of the emperor. There, in presence of an assembly more numerous and splendid than had appeared on any former occasion, the crown of Charlemagne was placed on his head, with all the pompous solemnity which the Germans affect in their public ceremonies, and which they deem essential to the dignity of their empire.[7]

Almost at the same time Solyman the Magnificent, one of the most accomplished, enterprising, and victorious of the Turkish sultans, a constant and formidable rival to the emperor, ascended the Ottoman throne. It was the peculiar glory of that period to produce the most illustrious monarchs who have at any one time appeared in Europe. Leo, Charles, Francis, Henry, and Solyman were each of them possessed of talents that might have rendered any age wherein they happened to flourish conspicuous. But such a constellation of great princes shed uncommon lustre on the sixteenth century. In every contest great power, as well as great abilities, were set in opposition; the efforts of valour and conduct on one side, counterbalanced by an equal exertion of the same qualities on the other, not only occasioned such a variety of events as renders the history of that period interesting, but served to check the exorbitant progress of any of those princes, and to prevent their attaining such pre-eminence in power as would have been fatal to the liberty and happiness of mankind.

The first act of the emperor's administration was to appoint a diet of the empire to be held at Worms on the 6th of January, 1521. In his circular letters to the different princes, he informed them that he had called this assembly in order to concert with them the most proper measures for checking the progress of those new and dangerous opinions which threatened to disturb the peace of Germany and to overturn the religion of their ancestors.

Charles had in view the opinions which had been propagated by Luther and his disciples since the year 1517. As these led to that happy reformation in religion which rescued one part of Europe from the papal yoke, mitigated its rigour in the other, and produced a revolution in the sentiments of mankind, the greatest as well as the most beneficial that has happened since the publication of Christianity, not only the events which at first gave birth to such opinions, but the causes which rendered their progress so rapid and successful, deserve to be considered with minute attention.

To overturn a system of religious belief founded on ancient and deep-rooted prejudices, supported by power, and defended with no less art than industry, to establish in its room doctrines of the most contrary genius and tendency, and to accomplish all this, not by external violence or the force of arms, are operations which historians the least prone to credulity and superstition ascribe to that Divine Providence which with infinite ease can bring about events which to human sagacity appear impossible. The interposition of Heaven in

[6] Herbert, 37.

[7] Hartman. Mauri Relatio Coronat. Car. V., ap. Goldast. Polit. Imperial. Franc., 1614, fol., p. 264.

favour of the Christian religion at its first publication was manifested by miracles and prophecies wrought and uttered in confirmation of it. Though none of the Reformers possessed, or pretended to possess, these supernatural gifts, yet that wonderful preparation of circumstances which disposed the minds of men for receiving their doctrines—that singular combination of causes which secured their success, and enabled men destitute of power and of policy to triumph over those who employed against them extraordinary efforts of both—may be considered as no slight proof that the same hand which planted the Christian religion protected the Reformed faith, and reared it from beginnings extremely feeble to an amazing degree of vigour and maturity.

It was from causes seemingly fortuitous, and from a source very inconsiderable, that all the mighty effects of the Reformation flow. Leo X., when raised to the papal throne, found the revenues of the Church exhausted by the vast projects of his two ambitious predecessors, Alexander VI. and Julius II. His own temper, naturally liberal and enterprising, rendered him incapable of that severe and patient economy which the situation of his finances required. On the contrary, his schemes for aggrandizing the family of Medici, his love of splendour, his taste for pleasure, and his magnificence in rewarding men of genius, involved him daily in new expenses, in order to provide a fund for which he tried every device that the fertile invention of priests had fallen upon to drain the credulous multitude of their wealth. Among others, he had recourse to a sale of *indulgences*. According to the doctrine of the Romish Church, all the good works of the saints over and above those which were necessary towards their own justification are deposited, together with the infinite merits of Jesus Christ, in one inexhaustible treasury. The keys of this were committed to St. Peter, and to his successors the popes, who may open it at pleasure, and, by transferring a portion of this superabundant merit to any particular person for a sum of money, may convey to him either the pardon of his own sins, or a release for any one in whose happiness he is interested from the pains of purgatory. Such indulgences were first invented in the eleventh century by Urban II. as a recompense for those who went in person upon the meritorious enterprise of conquering the Holy Land. They were afterwards granted to those who hired a soldier for that purpose, and in process of time were bestowed on such as gave money for accomplishing any pious work enjoined by the pope.[8] Julius II. had bestowed indulgences on all who contributed towards building the church of St. Peter at Rome; and, as Leo was carrying on that magnificent and expensive fabric, his grant was founded on the same pretence.[9]

The right of promulgating these indulgences in Germany, together with a share in the profits arising from the sale of them, was granted to Albert, elector of Mentz and archbishop of Magdeburg, who, as his chief agent for retailing them in Saxony, employed Tetzel, a Dominican friar, of licentious morals, but of an active spirit, and remarkable for his noisy and popular eloquence. He, assisted by the monks of his order, executed the commission with great zeal and success, but with little discretion or decency; and though, by magnifying excessively the benefit of their indulgences,[10] and by disposing of them

[8] History of the Council of Trent, by F. Paul, p. 4.

[9] Pallav., Hist. Conc. Trident., p. 4.

[10] As the form of these indulgences, and the benefits which they were supposed to convey, are unknown in Protestant countries, and little understood, at present, in several places where the Roman Catholic religion is established, I have, for the information of my readers, translated the form of absolution used by Tetzel: "May our Lord Jesus Christ have mercy upon thee, and absolve thee by the merits of his most holy passion. And I, by his authority, that of his blessed Apostles Peter and Paul,

at a very low price, they carried on for some time an extensive and lucrative traffic among the credulous and the ignorant, the extravagance of their assertions, as well as the irregularities in their conduct, came at last to give general offence. The princes and nobles were irritated at seeing their vassals drained of so much wealth in order to replenish the treasury of a profuse pontiff. Men of piety regretted the delusion of the people, who, being taught to rely for the pardon of their sins on the indulgences which they purchased, did not think it incumbent on them either to study the doctrines taught by genuine Christianity or to practise the duties which it enjoins. Even the most unthinking were shocked at the scandalous behaviour of Tetzel and his associates, who often squandered, in drunkenness, gaming, and low debauchery, those sums which were piously bestowed in hopes of obtaining eternal happiness; and all began to wish that some check were given to this commerce, no less detrimental to society than destructive to religion.

Such was the favourable juncture, and so disposed were the minds of his countrymen to listen to his discourses, when Martin Luther first began to call in question the efficacy of indulgences, and to declaim against the vicious lives and false doctrines of the persons employed in promulgating them. Luther was a native of Eisleben, in Saxony, and, though born of poor parents, had received a learned education, during the progress of which he gave many indications of uncommon vigour and acuteness of genius. His mind was naturally susceptible of serious sentiments, and tinctured with somewhat of that religious melancholy which delights in the solitude and devotion of a monastic life. The death of a companion, killed by lightning at his side in a violent thunderstorm, made such an impression on his mind as co-operated with his natural temper in inducing him to retire into a convent of Augustinian friars, where, without suffering the entreaties of his parents to divert him from what he thought his duty to God, he assumed the habit of that order. He soon acquired great reputation, not only for piety, but for his love of knowledge and

and of the most holy pope, granted and committed to me in these parts, do absolve thee, first from all ecclesiastical censures, in whatever manner they have been incurred, and then from all thy sins, transgressions, and excesses, how enormous soever they may be, even from such as are reserved for the cognizance of the holy see; and as far as the keys of the Holy Church extend, I remit to you all punishment which you deserve in purgatory on their account, and I restore you to the holy sacraments of the Church, to the unity of the faithful, and to that innocence and purity which you possessed at baptism; so that, when you die, the gates of punishment shall be shut, and the gates of the paradise of delight shall be opened; and if you shall not die at present, this grace shall remain in full force when you are at the point of death. In the name of the Father, and of the Son, and of the Holy Ghost." Seckend., Comment., lib. i. p. 14.

The terms in which Tetzel and his associates described the benefits of indulgences, and the necessity of purchasing them, are so extravagant that they appear to be almost incredible. If any man (said they) purchase letters of indulgence, his soul may rest secure with respect to its salvation. The souls confined in purgatory, for whose redemption indulgences are purchased, as soon as the money tinkles in the chest, instantly escape from that place of torment and ascend into heaven. That the efficacy of indulgences was so great that the most heinous sins, even if one should violate (which was impossible) the mother of God, would be remitted and expiated by them, and the person be freed both from punishment and guilt. That this was the unspeakable gift of God, in order to reconcile men to himself. That the cross erected by the preachers of indulgences was as efficacious as the cross of Christ itself. Lo! the heavens are open; if you enter not now, when will you enter? For twelve pence you may redeem the soul of your father out of purgatory; and are you so ungrateful that you will not rescue your parent from torment? If you had but one coat, you ought to strip yourself instantly, and sell it, in order to purchase such benefits, etc. These, and many such extravagant expressions, are selected out of Luther's works by Chemnitius in his Examen Concilii Tridentini, apud Herm. Von der Hardt., Hist. Liter. Reform., pars iv. p. 6. The same author has published several of Tetzel's discourses, which prove that these expressions were neither singular nor exaggerated. Ibid., p. 14.

his unwearied application to study. He had been taught the scholastic philosophy and theology, which were then in vogue, by very able masters, and wanted not penetration to comprehend all the niceties and distinctions with which they abound; but his understanding, naturally sound, and superior to everything frivolous, soon became disgusted with those subtle and uninstructive sciences, and sought for some more solid foundation of knowledge and of piety in the Holy Scriptures. Having found a copy of the Bible, which lay neglected in the library of his monastery, he abandoned all other pursuits, and devoted himself to the study of it with such eagerness and assiduity as astonished the monks, who were little accustomed to derive their theological notions from that source. The great progress which he made in this uncommon course of study augmented so much the fame both of his sanctity and of his learning that, Frederic, elector of Saxony, having founded a university at Wittemberg on the Elbe, the place of his residence, Luther was chosen first to teach philosophy, and afterwards theology, there, and discharged both offices in such a manner that he was deemed the chief ornament of that society.

While Luther was at the height of his reputation and authority, Tetzel began to publish indulgences in the neighbourhood of Wittemberg, and to ascribe to them the same imaginary virtues which had in other places imposed on the credulity of the people. As Saxony was not more enlightened than the other provinces of Germany, Tetzel met with prodigious success there. It was with the utmost concern that Luther beheld the artifices of those who sold, and the simplicity of those who bought, indulgences. The opinions of Thomas Aquinas and the other schoolmen, on which the doctrine of indulgences was founded, had already lost much of their authority with him; and the Scriptures, which he began to consider as the great standard of theological truth, afforded no countenance to a practice equally subversive of faith and of morals. His warm and impetuous temper did not suffer him long to conceal such important discoveries, or to continue a silent spectator of the delusion of his countrymen. From the pulpit in the great church of Wittemberg he inveighed bitterly against the irregularities and vices of the monks who published indulgences; he ventured to examine the doctrines which they taught, and pointed out to the people the danger of relying for salvation upon any other means than those appointed by God in his word. The boldness and novelty of these opinions drew great attention, and, being recommended by the authority of Luther's personal character and delivered with a popular and persuasive eloquence, they made a deep impression on his hearers. Encouraged by the favourable reception of his doctrines among the people, he wrote to Albert, elector of Mentz and archbishop of Magdeburg, to whose jurisdiction that part of Saxony was subject, and remonstrated warmly against the false opinions, as well as wicked lives, of the preachers of indulgences; but he found that prelate too deeply interested in their success to correct their abuses. His next attempt was to gain the suffrage of men of learning. For this purpose he published ninety-five theses, containing his sentiments with regard to indulgences. These he proposed, not as points fully established or of undoubted certainty, but as subjects of inquiry and disputation; he appointed a day on which the learned were invited to impugn them, either in person or by writing; to the whole he subjoined solemn protestations of his high respect for the apostolic see, and of his implicit submission to its authority. No opponent appeared at the time prefixed; the theses spread over Germany with astonishing rapidity; they were read with the greatest eagerness; and all admired the boldness of the man who had ventured not

only to call in question the plenitude of papal power, but to attack the Dominicans, armed with all the terrors of inquisitorial authority.[11]

The friars of St. Augustine, Luther's own order, though addicted with no less obsequiousness than the other monastic fraternities to the papal see, gave no check to the publication of these uncommon opinions. Luther had, by his piety and learning, acquired extraordinary authority among his brethren; he professed the highest regard for the authority of the pope; his professions were at that time sincere; and as a secret enmity, excited by interest or emulation, subsists among all the monastic orders in the Romish Church, the Augustinians were highly pleased with his invectives against the Dominicans, and hoped to see them exposed to the hatred and scorn of the people. Nor was his sovereign, the elector of Saxony, the wisest prince at that time in Germany, dissatisfied with this obstruction which Luther threw in the way of the publication of indulgences. He secretly encouraged the attempt, and flattered himself that this dispute among the ecclesiastics themselves might give some check to the exactions of the court of Rome, which the secular princes had long, though without success, been endeavouring to oppose.

Many zealous champions immediately arose to defend opinions on which the wealth and power of the Church were founded, against Luther's attacks. In opposition to his theses, Tetzel published counter-theses at Frankfort on the Oder; Eccius, a celebrated divine of Augsburg, endeavoured to refute Luther's notions; and Prierias, a Dominican friar, master of the sacred palace, and inquisitor-general, wrote against him with all the virulence of a scholastic disputant. But the manner in which they conducted the controversy did little service to their cause. Luther attempted to combat indulgences by arguments founded in reason or derived from Scripture; they produced nothing in support of them but the sentiments of schoolmen, the conclusions of the canon law, and the decrees of popes.[12] The decision of judges so partial and interested did not satisfy the people, who began to call in question the authority even of these venerable guides, when they found them standing in direct opposition to the dictates of reason and the determinations of the Divine law.[13]

[11] Lutheri Opera, Jenæ, 1612, vol. i. Præfat. 3, p. 2, 66.—Hist. of Council of Trent, by F. Paul, p. 4.—Seckend., Com. Apol, p. 16.

[12] F. Paul, p. 6.—Seckend, p. 40.—Pallavic., p. 8.

[13] Seckend., p. 30.—Guicciardini has asserted two things with regard to the first promulgation of indulgences:—1. That Leo bestowed a gift of the profits arising from the sale of indulgences in Saxony, and the adjacent provinces of Germany, upon his sister Magdalen, the wife of Francescetto Cibo. (Guic., lib. xiii. 168.) 2. That Arcemboldo, a Genoese ecclesiastic, who had been bred a merchant, and still retained all the activity and address of that profession, was appointed by her to collect the money which should be raised. F. Paul has follow d him in both these particulars; and adds that the Augustinians in Saxony had been immemorially employed in preaching indulgences, but that Arcemboldo and his deputies, hoping to gain more by committing this trust to the Dominicans, had made their bargain with Tetzel, and that Luther was prompted at first to oppose Tetzel and his associates by a desire of taking revenge for this injury offered to his order. (F. Paul, p. 5.) Almost all historians since their time, Popish as well as Protestant, have, without examination, admitted these assertions to be true upon their authority. But, notwithstanding the concurring testimony of two authors so eminent both for exactness and veracity, we may observe—1. That Felix Contolori, who searched the pontifical archives for the purpose, could not find this pretended grant to Leo's sister in any of those registers where it must necessarily have been recorded. (Pallav., p. 5.) 2. That the profits arising from indulgences in Saxony and the adjacent countries had been granted, not to Magdalen, but to Albert, archbishop of Mentz, who had the right of nominating those who published them. (Seck., p. 12; Luth. Oper., i., Præf. p. i.; Pallav., p. 6.) 3. That Arcemboldo never had concern in the publication of indulgences in Saxony: his district was Flanders and the Upper and Lower Rhine. (Seck., p. 14; Pallav., p. 6.) 4. That Luther and his adherents never mentioned this grant of Leo's to his sister, though a circumstance of which they could hardly have been ignorant, and which they would have been careful not to suppress. 5. The publication of indul-

Meanwhile, these novelties in Luther's doctrines, which interested all Germany, excited little attention and no alarm in the court of Rome. Leo, fond of elegant and refined pleasures, intent upon great schemes of policy, a stranger to theological controversies, and apt to despise them, regarded with the utmost indifference the operations of an obscure friar who, in the heart of Germany, carried on a scholastic disputation in a barbarous style. Little did he apprehend, or Luther himself dream, that the effects of this quarrel would be so fatal to the papal see. Leo imputed the whole to monastic enmity and emulation, and seemed inclined not to interpose in the contest, but to allow the Augustinians and Dominicans to wrangle about the matter with their usual animosity.

The solicitations, however, of Luther's adversaries, who were exasperated to a high degree by the boldness and severity with which he animadverted on their writings, together with the surprising progress which his opinions made in different parts of Germany, roused at last the attention of the court of Rome, and obliged Leo to take measures for the security of the Church against an attack that now appeared too serious to be despised. For this end, he summoned Luther to appear at Rome, within sixty days, before the auditor of the chamber and the inquisitor-general, Prierias, who had written against him, whom he empowered jointly to examine his doctrines and to decide concerning them. He wrote, at the same time, to the elector of Saxony, beseeching him not to protect a man whose heretical and profane tenets were so shocking to pious ears, and enjoined the provincial of the Augustinians to check by his authority the rashness of an arrogant monk, which brought disgrace upon the order of St. Augustine and gave offence and disturbance to the whole Church. [1518.]

From the strain of these letters, as well as from the nomination of a judge so prejudiced and partial as Prierias, Luther easily saw what sentence he might expect at Rome. He discovered, for that reason, the utmost solicitude to have his cause tried in Germany and before a less suspected tribunal. The professors in the university of Wittemberg, anxious for the safety of a man who did so much honour to their society, wrote to the pope, and, after employing several pretexts to excuse Luther from appearing at Rome, entreated Leo to commit the examination of his doctrines to some persons of learning and authority in Germany. The elector requested the same thing of the pope's legate at the diet of Augsburg; and as Luther himself, who at that time was so far from having any intention to disclaim the papal authority that he did not even entertain the smallest suspicion concerning its divine original, had written to Leo a most submissive letter, promising an unreserved compliance with his will, the pope gratified them so far as to empower his legate

gences in Germany was not usually committed to the Augustinians. The promulgation of them, at three different periods under Julius II., was granted to the Franciscans; the Dominicans had been employed in the same office a short time before the present period. (Pallav., p. 46.) 6. The promulgation of those indulgences which first excited Luther's indignation was intrusted to the archbishop of Mentz, in conjunction with the guardian of the Franciscans; but the latter having declined accepting of that trust, the sole right became vested in the archbishop. (Pallav., 6; Seck., 16, 17.) 7. Luther was not instigated by his superiors among the Augustinians to attack the Dominicans, their rivals, or to depreciate indulgences because they were promulgated by them: his opposition to their opinions and vices proceeded from more laudable motives. (Seck., p. 15, 32; Lutheri Opera, i. p. 64, 6.) 8. A diploma of indulgences is published by Herm. von der Hardt, from which it appears that the name of the guardian of the Franciscans is retained together with that of the archbishop, although the former did not act. The limits of the country to which their commission extended, namely, the diocese of Mentz, Magdeburg, Halberstadt, and the territories of the marquis of Brandenburg, are mentioned in that diploma. Hist. Literaria Reformat., pars iv. p. 14.

in Germany, Cardinal Cajetan, a Dominican, eminent for scholastic learning, and passionately devoted to the Roman see, to hear and determine the cause.

Luther, though he had good reason to decline a judge chosen among his avowed adversaries, did not hesitate about appearing before Cajetan, and, having obtained the emperor's safe-conduct, immediately repaired to Augsburg. The cardinal received him with decent respect, and endeavoured at first to gain upon him by gentle treatment. The cardinal, relying on the superiority of his own talents as a theologian, entered into a formal dispute with Luther concerning the doctrines contained in his theses.[14] But the weapons which they employed were so different, Cajetan appealing to papal decrees and the opinions of schoolmen, and Luther resting entirely on the authority of Scripture, that the contest was altogether fruitless. The cardinal relinquished the character of a disputant, and, assuming that of a judge, enjoined Luther, by virtue of the apostolic powers with which he was clothed, to retract the errors which he had uttered with regard to indulgences and the nature of faith, and to abstain for the future from the publication of new and dangerous opinions. Luther, fully persuaded of the truth of his own tenets, and confirmed in the belief of them by the approbation which they had met with among persons conspicuous both for learning and piety, was surprised at this abrupt mention of a recantation before any endeavours were used to convince him that he was mistaken. He had flattered himself that in a conference concerning the points in dispute with a prelate of such distinguished abilities he should be able to remove many of those imputations with which the ignorance or malice of his antagonists had loaded him; but the high tone of authority that the cardinal assumed extinguished at once all hopes of this kind, and cut off every prospect of advantage from the interview. His native intrepidity of mind, however, did not desert him. He declared with the utmost firmness that he could not, with a safe conscience, renounce opinions which he believed to be true; nor should any consideration ever induce him to do what would be so base in itself and so offensive to God. At the same time, he continued to express no less reverence than formerly for the authority of the apostolic see;[15] he signified his willingness to submit the whole controversy to certain universities which he named, and promised neither to write nor to preach concerning indulgences for the future, provided his adversaries were likewise enjoined to be silent with respect to them.[16] All these offers Cajetan disregarded or rejected, and still insisted peremptorily on a simple recantation, threatening him with ecclesiastical censures and forbidding him to appear again in his presence unless he resolved instantly to comply with what he had required. This haughty and violent manner of proceeding, as well as other circumstances, gave Luther's friends such strong reasons to suspect that even the imperial safe-conduct would not be able to protect him from the legate's power and resentment, that they prevailed on him to withdraw secretly from Augsburg and to return to his own country. But before his departure, according to a form of which there had been some examples, he prepared a solemn appeal from the pope, ill informed at that time concerning his cause, to the pope when he should receive more full information with respect to it.[17]

Cajetan, enraged at Luther's abrupt retreat and at the publication of his

[14] In the former editions I asserted, upon the authority of Father Paul, that Cajetan thought it beneath his dignity to enter into any dispute with Luther; but M. Beausobre, in his Histoire de la Réformation, vol. i. p. 121, etc., has satisfied me that I was mistaken. See also Seckend., lib. i. p. 46, etc.

[15] Luth., Oper., vol. i. p. 164.

[16] Ibid., p. 160.

[17] Sleid., Hist. of Reform., p. 7.—Seckend., p. 45.—Luth., Oper., i. 163.

appeal, wrote to the elector of Saxony, complaining of both, and requiring him, as he regarded the peace of the Church or the authority of its head, either to send that seditious monk a prisoner to Rome, or to banish him out of his territories. It was not from theological considerations that Frederic had hitherto countenanced Luther: he seems to have been much a stranger to controversies of that kind, and to have been little interested in them. His protection flowed almost entirely, as hath been already observed, from political motives, and was afforded with great secrecy and caution. He had neither heard any of Luther's discourses nor read any of his books; and though all Germany resounded with his fame, he had never once admitted him into his presence.[18] But upon this demand which the cardinal made, it became necessary to throw off somewhat of his former reserve. He had been at great expense and had bestowed much attention on founding a new university, an object of considerable importance to every German prince; and, foreseeing how fatal a blow the removal of Luther would be to its reputation,[19] he, under various pretexts and with many professions of esteem for the cardinal, as well as of reverence for the pope, not only declined complying with either of his requests, but openly discovered great concern for Luther's safety.[20]

The inflexible rigour with which Cajetan insisted on a simple recantation gave great offence to Luther's followers in that age, and hath since been censured as imprudent by several popish writers. But it was impossible for the legate to act another part. The judges before whom Luther had been required to appear at Rome were so eager to display their zeal against his errors, that, without waiting for the expiration of sixty days allowed him in the citation, they had already condemned him as a heretic.[21] Leo had, in several of his briefs and letters, stigmatized him as a child of iniquity and a man given up to a reprobate sense. Nothing less, therefore, than a recantation could save the honour of the Church, whose maxim it is never to abandon the smallest point that it has established, and which is even precluded, by its pretensions to infallibility, from having it in its power to do so.

Luther's situation at this time was such as would have filled any other person with the most disquieting apprehensions. He could not expect that a prince so prudent and cautious as Frederic would on his account set at defiance the thunders of the Church, and brave the papal power, which had crushed some of the most powerful of the German emperors. He knew what veneration was paid, in that age, to ecclesiastical decisions; what terrors ecclesiastical censures carried along with them, and how easily these might intimidate and shake a prince who was rather his protector from policy than his disciple from conviction. If he should be obliged to quit Saxony, he had no prospect of any other asylum, and must stand exposed to whatever punishment the rage or bigotry of his enemies could inflict. Though sensible of his danger, he discovered no symptoms of timidity or remissness, but continued to vindicate his own conduct and opinions and to inveigh against those of his adversaries with more vehemence than ever.[22]

But as every step taken by the court of Rome, particularly the irregular sentence by which he had been so precipitately declared a heretic, convinced Luther that Leo would soon proceed to the most violent measures against him, he had recourse to the only expedient in his power in order to prevent the effect of the papal censures. He appealed to a general council, which he affirmed to be the representative of the Catholic Church and superior in

[18] Seckend., p. 27.—Sleid., Hist., p. 12.
[19] Seckend., p. 59.
[20] Sleid., Hist., p. 10.—Luth., Oper., i. 172.
[21] Luther., Oper., i. 161.
[22] Seckend., p. 59.

power to the pope, who, being a fallible man, might err, as St. Peter, the most perfect of his predecessors, had erred.[23]

It soon appeared that Luther had not formed rash conjectures concerning the intentions of the Romish Church. A bull of a date prior to his appeal was issued by the pope, in which he magnifies the virtue and efficacy of indulgences, in terms as extravagant as any of his predecessors had ventured to use in the darkest ages; and, without applying such palliatives or mentioning such concessions as a more enlightened period and the disposition in the minds of many men at that juncture seemed to call for, he required all Christians to assent to what he delivered as the doctrine of the Catholic Church, and subjected those who should hold or teach any contrary opinion to the heaviest ecclesiastical censures.

Among Luther's followers, this bull, which they considered as an unjustifiable effort of the pope in order to preserve that rich branch of his revenue which arose from indulgences, produced little effect. But among the rest of his countrymen, such a clear decision of the sovereign pontiff against him, and enforced by such dreadful penalties, must have been attended with consequences very fatal to his cause, if these had not been prevented in a great measure by the death of the emperor Maximilian, whom both his principles and his interest prompted to support the authority of the holy see. In consequence of this event, the vicariat of that part of Germany which is governed by the Saxon laws devolved to the elector of Saxony; and under the shelter of his friendly administration Luther not only enjoyed tranquillity, but his opinions were suffered, during the interregnum which preceded Charles's election, to take root in different places and to grow up to some degree of strength and firmness. At the same time, as the election of an emperor was a point more interesting to Leo than a theological controversy, which he did not understand, and of which he could not foresee the consequences, he was so extremely solicitous not to irritate a prince of such considerable influence in the electoral college as Frederic, that he discovered a great unwillingness to pronounce the sentence of excommunication against Luther, which his adversaries continually demanded with the most clamorous importunity.

To these political views of the pope, as well as to his natural aversion from severe measures, was owing the suspension of any further proceedings against Luther for eighteen months. Perpetual negotiations, however, in order to bring the matter to some amicable issue, were carried on during that space. The manner in which these were conducted having given Luther many opportunities of observing the corruption of the court of Rome, its obstinacy in adhering to established errors, and its indifference about truth, however clearly proposed or strongly proved, he began to utter some doubts with regard to the divine original of the papal authority. A public disputation was held upon this important question at Leipsic, between Luther and Eccius, one of his most learned and formidable antagonists; but it was as fruitless and indecisive as such scholastic combats usually prove. Both parties boasted of having obtained the victory; both were confirmed in their own opinions; and no progress was made towards deciding the point in controversy.[24]

Nor did the spirit of opposition to the doctrines and usurpations of the Romish Church break out in Saxony alone: an attack no less violent, and occasioned by the same causes, was made upon them about this time in Switzerland. The Franciscans, being intrusted with the promulgation of indulgences in that country, executed their commission with the same indiscretion and rapaciousness which had rendered the Dominicans so odious in

[23] Sleid., Hist., 12.—Luth., Oper., i. 179. [24] Luth., Oper., i. 199.

Germany. They proceeded, nevertheless, with uninterrupted success, until they arrived at Zurich. There Zuinglius, a man not inferior to Luther himself in zeal and intrepidity, ventured to oppose them; and being animated with a republican boldness, and free from those restraints which subjection to the will of a prince imposed on the German Reformer, he advanced with more daring and rapid steps to overturn the whole fabric of the established religion.[25] The appearance of such a vigorous auxiliary, and the progress which he made, was, at first, matter of great joy to Luther. On the other hand, the decrees of the Universities of Cologne and Louvain, which pronounced his opinions to be erroneous, afforded great cause of triumph to his adversaries.

But the undaunted spirit of Luther acquired additional fortitude from every instance of opposition; and, pushing on his inquiries and attacks from one doctrine to another, he began to shake the firmest foundations on which the wealth or power of the Church was established. Leo came at last to be convinced that all hopes of reclaiming him by forbearance were vain; several prelates of great wisdom exclaimed, no less than Luther's personal adversaries, against the pope's unprecedented lenity in permitting an incorrigible heretic, who during three years had been endeavouring to subvert everything sacred and venerable, still to remain within the bosom of the Church; the dignity of the papal see rendered the most vigorous proceedings necessary; the new emperor, it was hoped, would support its authority; nor did it seem probable that the elector of Saxony would so far forget his usual caution as to set himself in opposition to their united power. The college of cardinals was often assembled, in order to prepare the sentence with due deliberation, and the ablest canonists were consulted how it might be expressed with unexceptionable formality. At last, on the 15th of June, 1520, the bull, so fatal to the Church of Rome, was issued. Forty-one propositions, extracted out of Luther's works, are therein condemned as heretical, scandalous, and offensive to pious ears; all persons are forbidden to read his writings, upon pain of excommunication; such as had any of them in their custody were commanded to commit them to the flames; he himself, if he did not within sixty days publicly recant his errors and burn his books, is pronounced an obstinate heretic, is excommunicated, and delivered unto Satan for the destruction of his flesh; and all secular princes are required, under pain of incurring the same censure, to seize his person, that he might be punished as his crimes deserved.[26]

The publication of this bull in Germany excited various passions in different places. Luther's adversaries exulted, as if his party and opinions had been crushed at once by such a decisive blow. His followers, whose reverence for the papal authority daily diminished, read Leo's anathemas with more indignation than terror. In some cities the people violently obstructed the promulgation of the bull; in others, the persons who attempted to publish it were insulted, and the bull itself was torn in pieces and trodden under foot.[27]

This sentence, which he had for some time expected, did not disconcert or intimidate Luther. After renewing his appeal to the general council, he published remarks upon the bull of excommunication; and, being now persuaded that Leo had been guilty both of impiety and injustice in his proceedings against him, he boldly declared the pope to be that man of sin, or Antichrist, whose appearance is foretold in the New Testament; he declaimed against his tyranny and usurpations with greater violence than ever; he exhorted all Christian princes to shake off such an ignominious yoke, and boasted of his own happiness in being marked out as the object of ecclesiastical

[25] Sleid., Hist., 22.—Seckend., 59. [26] Pallav., 27.—Luth., Oper., i. 423.
[27] Seckend., p. 116.

indignation, because he had ventured to assert the liberty of mankind. Nor did he confine his expressions of contempt for the papal power to words alone: Leo having, in execution of the bull, appointed Luther's books to be burnt at Rome, he, by way of retaliation, assembled all the professors and students in the University of Wittemberg, and with great pomp, in presence of a vast multitude of spectators, cast the volumes of the canon law, together with the bull of excommunication, into the flames; and his example was imitated in several cities of Germany. The manner in which he justified this action was still more offensive than the action itself. Having collected from the canon law some of the most extravagant propositions with regard to the plenitude and omnipotence of the papal power, as well as the subordination of all secular jurisdiction to the authority of the holy see, he published these with a commentary, pointing out the impiety of such tenets and their evident tendency to subvert all civil government.[28]

Such was the progress which Luther had made, and such the state of his party, when Charles arrived in Germany. No secular prince had hitherto embraced Luther's opinions; no change in the established forms of worship had been introduced; and no encroachments had been made upon the possessions or jurisdiction of the clergy; neither party had yet proceeded to action; and the controversy, though conducted with great heat and passion on both sides, was still carried on with its proper weapons,—with theses, disputations, and replies. A deep impression, however, was made upon the minds of the people; their reverence for ancient institutions and doctrines was shaken; and the materials were already scattered which kindled into the combustion that soon spread over all Germany. Students crowded from every province of the empire to Wittemberg; and under Luther himself, Melancthon, Carlostadius, and other masters then reckoned eminent, imbibed opinions which, on their return, they propagated among their countrymen, who listened to them with that fond attention which truth, when accompanied with novelty, naturally commands.[29]

During the course of these transactions the court of Rome, though under the direction of one of its ablest pontiffs, neither formed its schemes with that profound sagacity nor executed them with that steady perseverance which had long rendered it the most perfect model of political wisdom to the rest of Europe. When Luther began to declaim against indulgences, two different methods of treating him lay before the pope, by adopting one of which the attempt, it is probable, might have been crushed, and by the other it might have been rendered innocent. If Luther's first departure from the doctrines of the Church had instantly drawn upon him the weight of its censures, the dread of these might have restrained the elector of Saxony from protecting him, might have deterred the people from listening to his discourses, or even might have overawed Luther himself; and his name, like that of many good men before his time, would now have been known to the world only for his honest but ill-timed effort to correct the corruptions of the Romish Church. On the other hand, if the pope had early testified some displeasure with the vices and excesses of the friars who had been employed in publishing indulgences, if he had forbidden the mentioning of controverted points in discourses addressed to the people, if he had enjoined the disputants on both sides to be silent, if he had been careful not to risk the credit of the Church by defining articles which had hitherto been left undetermined, Luther would probably have stopped short at his first discoveries: he would not have been forced, in self-defence, to venture upon new ground, and the whole controversy might

[28] Luth., Oper., ii. 316. [29] Seckend., 59.

possibly have died away insensibly, or, being confined entirely to the schools, might have been carried on with as little detriment to the peace and unity of the Romish Church as that which the Franciscans maintained with the Dominicans concerning the immaculate conception, or that between the Jansenists and Jesuits concerning the operations of grace. But Leo, by fluctuating between these opposite systems, and by embracing them alternately, defeated the effects of both. By an improper exertion of authority, Luther was exasperated, but not restrained. By a mistaken exercise of lenity, time was given for his opinions to spread, but no progress was made towards reconciling him to the Church; and even the sentence of excommunication, which at another juncture might have been decisive, was delayed so long that it became at last scarcely an object of terror.

Such a series of errors in the measures of a court seldom chargeable with mistaking its own true interest is not more astonishing than the wisdom which appeared in Luther's conduct. Though a perfect stranger to the maxims of worldly wisdom, and incapable, from the impetuosity of his temper, of observing them, he was led naturally, by the method in which he made his discoveries, to carry on his operations in a manner which contributed more to their success than if every step he took had been prescribed by the most artful policy. At the time when he set himself to oppose Tetzel, he was far from intending that reformation which he afterwards effected, and would have trembled with horror at the thoughts of what at last he gloried in accomplishing. The knowledge of truth was not poured into his mind all at once by any special revelation; he acquired it by industry and meditation, and his progress, of consequence, was gradual. The doctrines of popery are so closely connected that the exposing of one error conducted him naturally to the detection of others; and all the parts of that artificial fabric were so united together that the pulling down of one loosened the foundation of the rest and rendered it more easy to overturn them. In confuting the extravagant tenets concerning indulgences, he was obliged to inquire into the true cause of our justification and acceptance with God. The knowledge of that discovered to him by degrees the inutility of pilgrimages and penances; the vanity of relying on the intercession of saints; the impiety of worshipping them; the abuses of auricular confession; and the imaginary existence of purgatory. The detection of so many errors led him, of course, to consider the character of the clergy who taught them; and their exorbitant wealth, the severe injunction of celibacy, together with the intolerable rigour of monastic vows, appeared to him the great sources of their corruption. From thence it was but one step to call in question the divine original of the papal power, which authorized and supported such a system of errors. As the unavoidable result of the whole, he disclaimed the infallibility of the pope, the decisions of schoolmen, or any other human authority, and appealed to the word of God as the only standard of theological truth. To this gradual progress Luther owed his success. His hearers were not shocked at first by any proposition too repugnant to their ancient prejudices or too remote from established opinions. They were conducted insensibly from one doctrine to another. Their faith and conviction were able to keep pace with his discoveries. To the same cause was owing the inattention, and even indifference, with which Leo viewed Luther's first proceedings. A direct or violent attack upon the authority of the Church would at once have drawn upon Luther the whole weight of its vengeance; but as this was far from his thoughts, as he continued long to profess great respect for the pope, and made repeated offers of submission to his decisions, there seemed to be no reason for apprehending

that he would prove the author of any desperate revolt; and he was suffered to proceed, step by step, in undermining the constitution of the Church, until the remedy applied at last came too late to produce any effect.

But whatever advantages Luther's cause derived, either from the mistakes of his adversaries or from his own good conduct, the sudden progress and firm establishment of his doctrines must not be ascribed to these alone. The same corruptions in the Church of Rome which he condemned had been attacked long before his time. The same opinions which he now propagated had been published in different places, and were supported by the same arguments. Waldus in the twelfth century, Wickliff in the fourteenth, and Huss in the fifteenth, had inveighed against the errors of popery with great boldness, and confuted them with more ingenuity and learning than could have been expected in those illiterate ages in which they flourished. But all these premature attempts towards a reformation proved abortive. Such feeble lights, incapable of dispelling the darkness which then covered the Church, were soon extinguished; and though the doctrines of these pious men produced some effects and left some traces in the countries where they taught, they were neither extensive nor considerable. Many powerful causes contributed to facilitate Luther's progress, which either did not exist, or did not operate with full force, in their days; and at that critical and mature juncture when he appeared, circumstances of every kind concurred in rendering each step that he took successful.

The long and scandalous schism which divided the Church during the latter part of the fourteenth and the beginning of the fifteenth centuries had a great effect in diminishing the veneration with which the world had been accustomed to view the papal dignity. Two or three contending pontiffs roaming about Europe at a time, fawning on the princes whom they wanted to gain, extorting large sums of money from the countries which acknowledged their authority, excommunicating their rivals, and cursing those who adhered to them, discredited their pretensions to infallibility and exposed both their persons and their office to contempt. The laity, to whom all parties appealed, came to learn that some right of private judgment belonged to them, and acquired the exercise of it so far as to choose, among these infallible guides, whom they would please to follow. The proceedings of the councils of Constantine and Basil spread this disrespect for the Romish see still wider, and, by their bold exertion of authority in deposing and electing popes, taught men that there was in the Church a jurisdiction superior even to the papal power, which they had long believed to be supreme.

The wound given on that occasion to the papal authority was scarcely healed up when the pontificates of Alexander VI. and Julius II., both able princes, but detestable ecclesiastics, raised new scandal in Christendom. The profligate morals of the former in private life, the fraud, the injustice, and cruelty of his public administration, place him on a level with those tyrants whose deeds are the greatest reproach to human nature. The latter, though a stranger to the odious passions which prompted his predecessor to commit so many unnatural crimes, was under the dominion of a restless and ungovernable ambition, that scorned all considerations of gratitude, of decency, or of justice, when they obstructed the execution of his schemes. It was hardly possible to be firmly persuaded that the infallible knowledge of a religion whose chief precepts are purity and humility was deposited in the breasts of the profligate Alexander or the overbearing Julius. The opinion of those who exalted the authority of a council above that of the pope spread wonderfully under their pontificates; and as the emperor and French kings, who were alternately engaged in hosti-

lities with those active pontiffs, permitted and even encouraged their subjects to expose their vices with all the violence of invective and all the petulance of ridicule, men's ears being accustomed to these were not shocked with the bold or ludicrous discourses of Luther and his followers concerning the papal dignity.

Nor were such excesses confined to the head of the Church alone. Many of the dignified clergy, secular as well as regular, being the younger sons of noble families, who had assumed the ecclesiastical character for no other reason but that they found in the Church stations of great dignity and affluence, were accustomed totally to neglect the duties of their office, and indulged themselves without reserve in all the vices to which great wealth and idleness naturally give birth. Though the inferior clergy were prevented by their poverty from imitating the expensive luxury of their superiors, yet gross ignorance and low debauchery rendered them as contemptible as the others were odious.[30] The severe and unnatural law of celibacy, to which both were equally subject, occasioned such irregularities that in several parts of Europe the concubinage of priests was not only permitted, but enjoined. The employing of a remedy so contrary to the precepts of the Christian religion is the strongest proof that the crimes it was intended to prevent were both numerous and flagrant. Long before the sixteenth century, many authors of great name and authority give such descriptions of the dissolute morals of the clergy as seem almost incredible in the present age.[31] The voluptuous lives of ecclesiastics occasioned great scandal, not only because their manners were inconsistent with their sacred character, but the laity, being accustomed to see several of them raised from the lowest stations to the greatest affluence, did not show the same indulgence to their excesses as to those of persons possessed of hereditary wealth or grandeur; and, viewing their condition with more envy, they censured their crimes with greater severity. Nothing, therefore, could be more acceptable to Luther's hearers than the violence with which he exclaimed against the immoralities of churchmen; and every person in his audience could, from his own observation, confirm the truth of his invectives.

The scandal of these crimes was greatly increased by the facility with which

[30] The corrupt state of the Church prior to the Reformation is acknowledged by an author who was both abundantly able to judge concerning this matter and who was not overforward to confess it. "For some years," says Bellarmine, "before the Lutheran and Calvinistic heresies were published, there was not (as contemporary authors testify) any severity in ecclesiastical judicatories, any discipline with regard to morals, any knowledge of sacred literature, any reverence for divine things: there was not almost any religion remaining." Bellarminus, Concio xxviii., Oper., tom. vi. col. 296. edit. Colon., 1617, apud Gerdesii Hist. Evan. Renovati, vol. i. p. 25.

[31] Centum Gravamina Nation. German. in Fasciculo Rer. expetend. et fugiendarum, per Ortuinum Gratium, vol. i. p. 361. See innumerable passages to the same purpose in the Appendix, or second volume, published by Edw. Brown. See also Herm. von der Hardt, Hist. Lit. Reform., pars iii., and the vast collections of Walchius in his four volumes of Monumenta Medii Ævi, Gotting., 1757.—The authors I have quoted enumerate the vices of the clergy. When they ventured upon actions manifestly criminal, we may conclude that they would be less scrupulous with respect to the decorum of behaviour. Accordingly, their neglect of the decent conduct suitable to their profession seems to have given great offence. In order to illustrate this, I shall transcribe one passage, because it is not taken from any author whose professed purpose it was to describe the improper conduct of the clergy, and who, from prejudice or artifice, may be supposed to aggravate the charge against them. The emperor Charles IV., in a letter to the archbishop of Mentz, A.D. 1359, exhorting him to reform the disorders of the clergy, thus expresses himself: "De Christi patrimonio, ludos, hastiludia et torneamenta exercent; habitum militarem cum prætextis aureis et argenteis gestant, et calceos militares; comam et barbam nutriunt, et nihil quod ad vitam et ordinem ecclesiasticum spectat, ostendunt. Militaribus se duntaxat et secularibus actibus, vita et moribus, in suæ salutis dispendium, et generale populi scandalum, immiscent." Codex Diplomaticus Anecdotorum, per Val. Ferd. Gudenum, 4to, vol. iii. p. 438.

such as committed them obtained pardon. In all the European kingdoms, the importance of the civil magistrate, under forms of government extremely irregular and turbulent, made it necessary to relax the rigour of justice; and, upon payment of a certain fine or composition prescribed by law, judges were accustomed to remit further punishment, even of the most atrocious crimes. The court of Rome, always attentive to the means of augmenting its revenues, imitated this practice, and, by a preposterous accommodation of it to religious concerns, granted its pardons to such transgressors as gave a sum of money in order to purchase them. As the idea of a composition for crime was then familiar, this strange traffic was so far from shocking mankind, that it soon became general; and, in order to prevent any imposition in carrying it on, the officers of the Roman chancery published a book containing the precise sum to be exacted for the pardon of every particular sin. A deacon guilty of murder was absolved for twenty crowns. A bishop, or abbot, might assassinate for three hundred livres. Any ecclesiastic might violate his vows of chastity, even with the most aggravating circumstances, for the third part of that sum. Even such shocking crimes as occur seldom in human life, and perhaps exist only in the impure imagination of a casuist, were taxed at a very moderate rate. When a more regular and perfect mode of dispensing justice came to be introduced into civil courts, the practice of paying a composition for crimes went gradually into disuse; and, mankind having acquired more accurate notions concerning religion and morality, the conditions on which the court of Rome bestowed its pardons appeared impious, and were considered as one great source of ecclesiastical corruption.[32]

This degeneracy of manners among the clergy might have been tolerated, perhaps, with greater indulgence, if their exorbitant riches and power had not enabled them at the same time to encroach on the rights of every other order of men. It is the genius of superstition, fond of whatever is pompous or grand, to set no bounds to its liberality towards persons whom it esteems sacred, and to think its expressions of regard defective unless it hath raised them to the height of wealth and authority. Hence flowed the extensive revenues and jurisdiction possessed by the Church in every country in Europe, and which were become intolerable to the laity, from whose undiscerning bounty they were at first derived.

The burden, however, of ecclesiastical oppression had fallen with such peculiar weight on the Germans as rendered them, though naturally exempt from levity and tenacious of their ancient customs, more inclinable than any people in Europe to listen to those who called on them to assert their liberty. During the long contests between the popes and the emperors concerning the right of investiture, and the wars which these occasioned, most of the considerable German ecclesiastics joined the papal faction; and while engaged in rebellion against the head of the empire, they seized the imperial domains and revenues and usurped the imperial jurisdiction within their own dioceses. Upon the re-establishment of tranquillity, they still retained these usurpations; as if by the length of an unjust possession they had acquired a legal right to them. The emperors, too feeble to wrest them out of their hands, were obliged to grant the clergy fiefs of those ample territories; and they enjoyed all the immunities, as well as honours, which belonged to feudal barons. By means of these, many bishops and abbots in Germany were not only ecclesiastics, but princes; and their character and manners partook more of the license

[32] Fascicul. Rer. expet. et fug., i. 355.—J. G. Schelhornii Amœnit. Literar. Francof., 1725, vol. ii. p. 369.—Diction. de Bayle, artic. Banck et Tuppius.—Texa Cancel. Romanæ, edit. Francof., 1651, passim.

too frequent among the latter, than of the sanctity which became the former.[33]

The unsettled state of government in Germany, and the frequent wars to which that country was exposed, contributed in another manner towards aggrandizing ecclesiastics. The only property, during those times of anarchy, which enjoyed security from the oppression of the great, or the ravages of war, was that which belonged to the Church. This was owing not only to the great reverence for the sacred character prevalent in those ages, but to a superstitious dread of the sentence of excommunication, which the clergy were ready to denounce against all who invaded their possessions. Many, observing this, made a surrender of their lands to ecclesiastics, and, consenting to hold them in fee of the Church, obtained, as its vassals, a degree of safety which without this device they were unable to procure. By such an increase of the number of their vassals, the power of ecclesiastics received a real and permanent augmentation; and, as lands held in fee by the limited tenures common in those ages often returned to the persons on whom the fief depended, considerable additions were made in this way to the property of the clergy.[34]

The solicitude of the clergy in providing for the safety of their own persons was still greater than that which they displayed in securing their possessions; and their efforts to attain it were still more successful. As they were consecrated to the priestly office with much outward solemnity, were distinguished from the rest of mankind by a peculiar garb and manner of life, and arrogated to their order many privileges which do not belong to other Christians, they naturally become the objects of excessive veneration. As a superstitious spirit spread, they were regarded as beings of a superior species to the profane laity, whom it would be impious to try by the same laws or to subject to the same punishments. This exemption from civil jurisdiction, granted at first to ecclesiastics as a mark of respect, they soon claimed as a point of right. This valuable immunity of the priesthood is asserted not only in the decrees of popes and councils, but was confirmed in the most ample form by many of the greatest emperors.[35] As long as the clerical character remained, the person of an ecclesiastic was in some degree sacred; and unless he were degraded from his office the unhallowed hand of the civil judge durst not touch him. But, as the power of degradation was lodged in the spiritual courts, the difficulty and expense of obtaining such a sentence too often secured absolute impunity to offenders. Many assumed the clerical character for no other reason than that it might screen them from the punishment which their actions deserved.[36] The German nobles complained loudly that these anointed malefactors, as they called them,[37] seldom suffered capitally, even for the most atrocious crimes; and their independence of the civil magistrate is often mentioned in the remonstrances of the diets, as a privilege equally pernicious to society and to the morals of the clergy.

While the clergy asserted the privileges of their own order with so much zeal, they made continual encroachments upon those of the laity. All causes relative to matrimony, to testaments, to usury, to legitimacy of birth, as well as those which concerned ecclesiastical revenues, were thought to be so connected with religion that they could be tried only in the spiritual courts. Not satisfied with this ample jurisdiction, which extended to one-half of the subjects that gave rise to litigation among men, the clergy, with wonderful industry,

[33] F. Paul, History of Ecclesiastical Benefices, p. 107.

[34] Ibid., p. 66.—Boulainvilliers, Etat de France, tom. i. p. 169, Lond., 1737.

[35] Goldasti Constitut. Imperial., Francof., 1673, vol. ii. pp. 92, 107.

[36] Rymer's Fœdera, vol. xiii. p. 532.

[37] Centum Gravam., § 31.

and by a thousand inventions, endeavoured to draw all other causes into their own courts.[38] As they had engrossed almost the whole learning known in the Dark Ages, the spiritual judges were commonly so far superior in knowledge and abilities to those employed in the secular courts that the people at first favoured any stretch that was made to bring their affairs under the cognizance of a judicature on the decisions of which they could rely with more perfect confidence than on those of the civil courts. Thus, the interest of the Church and the inclination of the people, concurring to elude the jurisdiction of the lay-magistrate, soon reduced it almost to nothing.[39] By means of this, vast power accrued to ecclesiastics, and no inconsiderable addition was made to their revenue by the sums paid in those ages to the persons who administered justice.

The penalty by which the spiritual courts enforced their sentences added great weight and terror to their jurisdiction. The censure of excommunication was instituted originally for preserving the purity of the Church; that obstinate offenders, whose impious tenets or profane lives were a reproach to Christianity, might be cut off from the society of the faithful: this, ecclesiastics did not scruple to convert into an engine for promoting their own power, and they inflicted it on the most frivolous occasions. Whoever despised any of their decisions, even concerning civil matters, immediately incurred this dreadful censure, which not only excluded them from all the privileges of a Christian, but deprived them of their rights as men and citizens;[40] and the dread of this rendered even the most fierce and turbulent spirits obsequious to the authority of the Church.

Nor did the clergy neglect the proper methods of preserving the wealth and power which they had acquired with such industry and address. The possessions of the Church, being consecrated to God, were declared to be unalienable; so that the funds of a society which was daily gaining and could never lose, grew to be immense. In Germany, it was computed that the ecclesiastics had got into their hands more than one-half of the national property.[41] In other countries the proportion varied; but the share belonging to the Church was everywhere prodigious. These vast possessions were not subject to the burdens imposed on the lands of the laity. The German clergy were exempted by law from all taxes;[42] and if, on an extraordinary emergence, ecclesiastics were pleased to grant some aid towards supplying the public exigencies, this was considered as a free gift flowing from their own generosity, which the civil magistrate had no title to demand, far less to exact. In consequence of this strange solecism in government, the laity in Germany had the mortification to find themselves loaded with excessive impositions, because such as possessed the greatest property were freed from any obligation to support or defend the state.

Grievous, however, as the exorbitant wealth and numerous privileges of the clerical order were to the other members of the Germanic body, they would have reckoned it some mitigation of the evil if these had been possessed only by ecclesiastics residing among themselves, who would have been less apt to make an improper use of their riches or to exercise their rights with unbecoming rigour. But the bishops of Rome having early put in a claim, the boldest that ever human ambition suggested, of being supreme and infallible heads of the Christian Church, they, by their profound policy and unwearied perse-

[38] Giannone, History of Naples, book xix. § 3.
[39] Centum Gravam., § 9, 56, 64.
[40] Ibid., § 34.
[41] Ibid., § 28.
[42] Id., ibid.—Goldasti, Const. Imper., ii. 79, 108.—Pfeffel, Hist. du Droit Publ., 350, 374.

verance, by their address in availing themselves of every circumstance which occurred, by taking advantage of the superstition of some princes, of the necessities of others, and of the credulity of the people, at length established their pretensions, in opposition both to the interest and common sense of mankind. Germany was the country which these ecclesiastical sovereigns governed with most absolute authority. They excommunicated and deposed some of its most illustrious emperors, and excited their subjects, their ministers, and even their children, to take arms against them. Amidst these contests, the popes continually extended their own immunities, spoiling the secular princes gradually of their most valuable prerogatives; and the German Church felt all the rigour of that oppression which flows from subjection to foreign dominion and foreign exactions.

The right of conferring benefices, which the popes usurped during that period of confusion, was an acquisition of great importance, and exalted the ecclesiastical power upon the ruins of the temporal. The emperors and other princes of Germany had long been in possession of this right, which served to increase both their authority and their revenue; but by wresting it out of their hands the popes were enabled to fill the empire with their own creatures; they accustomed a great body of every prince's subjects to depend, not upon him, but upon the Roman see; they bestowed upon strangers the richest benefices in every country, and drained their wealth to supply the luxury of a foreign court. Even the patience of the most superstitious ages could no longer bear such oppression; and so loud and frequent were the complaints and murmurs of the Germans that the popes, afraid of irritating them too far, consented, contrary to their usual practice, to abate somewhat of their pretensions, and to rest satisfied with the right of nomination to such benefices as happened to fall vacant during six months in the year, leaving the disposal of the remainder to the princes and other legal patrons.[43]

But the court of Rome easily found expedients for eluding an agreement which put such restraints on its power. The practice of reserving certain benefices in every country to the pope's immediate nomination, which had been long known, and often complained of, was extended far beyond its ancient bounds. All the benefices possessed by cardinals or any of the numerous officers in the Roman court, those held by persons who happened to die at Rome, or within forty miles of that city on their journey to or from it, such as became vacant by translation, with many others, were included in the number of *reserved* benefices. Julius II. and Leo X., stretching the matter to the utmost, often collated to benefices where the right of reservation had not been declared, on pretence of having mentally reserved this privilege to themselves. The right of reservation, however, even with this extension, had certain limits, as it could be exercised only where the benefice was actually vacant; and therefore, in order to render the exertion of papal power unbounded, *expectative graces*, or mandates nominating a person to succeed to a benefice upon the first vacancy that should happen, were brought into use. By means of these, Germany was filled with persons who were servilely dependent on the court of Rome, from which they had received such reversionary grants; princes were defrauded, in a great degree, of their prerogatives; the rights of lay-patrons were preoccupied, and rendered almost entirely vain.[44]

The manner in which these extraordinary powers were exercised rendered

[43] F. Paul, Hist. of Eccles. Benef., 204.—Gold., Constit. Imper., i. 408.

[44] Centum Gravam., § 21.—Fascic. Rer. expet., etc., 334.—Gold, Const. Imper., i. 391, 404, 405.—F. Paul, Hist. of Eccl. Benef., 167, 199.

them still more odious and intolerable. The avarice and extortion of the court of Rome were become excessive, almost to a proverb. The practice of selling benefices was so notorious that no pains were taken to conceal or to disguise it. Companies of merchants openly purchased the benefices of different districts in Germany from the pope's ministers, and retailed them at an advanced price.[45] Pious men beheld with deep regret these simoniacal transactions, so unworthy the ministers of a Christian Church; while politicians complained of the loss sustained by the exportation of so much wealth in that irreligious traffic.

The sums, indeed, which the court of Rome drew by its stated and legal impositions from all the countries acknowledging its authority were so considerable that it is not strange that princes, as well as their subjects, murmured at the smallest addition made to them by unnecessary or illicit means. Every ecclesiastical person, upon his admission to his benefice, paid *annats*, or one year's produce of his living, to the pope; and, as that tax was enacted with great rigour, its amount was very great. To this must be added the frequent demands made by the popes of free gifts from the clergy, together with the extraordinary levies of tenths upon ecclesiastical benefices, on pretence of expeditions against the Turks, seldom intended or carried into execution; and, from the whole, the vast proportion of the revenues of the Church which flowed continually to Rome may be estimated.

Such were the dissolute manners, the exorbitant wealth, the enormous power and privileges, of the clergy before the Reformation; such the oppressive rigour of that dominion which the popes had established over the Christian world; and such the sentiments concerning them that prevailed in Germany at the beginning of the sixteenth century. Nor has this sketch been copied from the controversial writers of that age, who, in the heat of disputation, may be suspected of having exaggerated the errors or of having misrepresented the conduct of that Church which they laboured to overturn: it is formed upon more authentic evidence,—upon the memorials and remonstrances of the imperial diets, enumerating the grievances under which the empire groaned, in order to obtain the redress of them. Dissatisfaction must have arisen to a great height among the people, when these grave assemblies expressed themselves with that degree of acrimony which abounds in their remonstrances; and if they demanded the abolition of these enormities with so much vehemence, the people, we may be assured, uttered their sentiments and desires in bolder and more virulent language.

To men thus prepared for shaking off the yoke, Luther addressed himself with certainty of success. As they had long felt its weight, and had borne it with impatience, they listened with joy to the first offer of procuring them deliverance. Hence proceeded the fond and eager reception that his doctrines met with, and the rapidity with which they spread over all the provinces of Germany. Even the impetuosity and fierceness of Luther's spirit, his confidence in asserting his own opinions, and the arrogance as well as contempt wherewith he treated all them who differed from him, which in ages of greater moderation and refinement have been reckoned defects in the character of that Reformer, did not appear excessive to his contemporaries, whose minds were strongly agitated by those interesting controversies which he carried on, and who had themselves endured the rigour of papal tyranny and seen the corruptions in the Church against which he exclaimed.

Nor were they offended at that gross scurrility with which his polemical writings are filled, or at the low buffoonery which he sometimes introduces

[45] Fascic. Rer. expet., i. 359.

into his gravest discourses. No dispute was managed in those rude times without a large portion of the former; and the latter was common, even on the most solemn occasions and in treating the most sacred subjects. So far were either of these from doing hurt to his cause that invective and ridicule had some effect, as well as more laudable arguments, in exposing the errors of popery and in determining mankind to abandon them.

Besides all these causes of Luther's rapid progress, arising from the nature of his enterprise and the juncture at which he undertook it, he reaped advantage from some foreign and adventitious circumstances, the beneficial influence of which none of his forerunners in the same course enjoyed. Among these may be reckoned the invention of the art of printing, about half a century before his time. By this fortunate discovery, the facility of acquiring and of propagating knowledge was wonderfully increased; and Luther's books, which must otherwise have made their way slowly and with uncertainty into distant countries, spread out at once all over Europe. Nor were they read only by the rich and the learned, who alone had access to books before that invention: they got into the hands of the people, who, upon this appeal to them as judges, ventured to examine and to reject many doctrines which they had formerly been required to believe without being taught to understand them.

The revival of learning at the same period was a circumstance extremely friendly to the Reformation. The study of the ancient Greek and Roman authors, by enlightening the human mind with liberal and sound knowledge, roused it from that profound lethargy in which it had been sunk during several centuries. Mankind seem, at that period, to have recovered the powers of inquiring and of thinking for themselves, faculties of which they had long lost the use; and, fond of the acquisition, they exercised them with great boldness upon all subjects. They were not now afraid of entering an uncommon path or of embracing a new opinion. Novelty appears rather to have been a recommendation of a doctrine; and, instead of being startled when the daring hand of Luther drew aside or tore the veil which covered and established errors, the genius of the age applauded and aided the attempt. Luther, though a stranger to elegance in taste or composition, zealously promoted the cultivation of ancient literature; and, sensible of its being necessary to the right understanding of the Scriptures, he himself had acquired considerable knowledge both in the Hebrew and Greek tongues. Melancthon, and some other of his disciples, were eminent proficients in the polite arts; and, as the same ignorant monks who opposed the introduction of learning into Germany set themselves with equal fierceness against Luther's opinions, and declared the good reception of the latter to be the effect of the progress which the former had made, the cause of learning and of the Reformation came to be considered as closely connected with each other, and, in every country, had the same friends and the same enemies. This enabled the Reformers to carry on the contest at first with great superiority. Erudition, industry, accuracy of sentiment, purity of composition, even wit and raillery, were almost wholly on their side, and triumphed with ease over illiterate monks, whose rude arguments, expressed in a perplexed and barbarous style, were found insufficient for the defence of a system the errors of which all the art and ingenuity of its later and more learned advocates have not been able to palliate.

That bold spirit of inquiry, which the revival of learning excited in Europe, was so favourable to the Reformation that Luther was aided in his progress, and mankind were prepared to embrace his doctrines, by persons who did not wish success to his undertaking. The greater part of the ingenious men who applied to the study of ancient literature towards the close of the fifteenth

century and the beginning of the sixteenth, though they had no intention, and perhaps no wish, to overturn the established system of religion, had discovered the absurdity of many tenets and practices authorized by the Church, and perceived the futility of those arguments by which illiterate monks endeavoured to defend them. Their contempt of these advocates for the received errors led them frequently to expose the opinions which they supported, and to ridicule their ignorance with great freedom and severity. By this, men were prepared for the more serious attacks made upon them by Luther; and their reverence both for the doctrines and persons against whom he inveighed was considerably abated. This was particularly the case in Germany. When the first attempts were made to revive a taste for ancient learning in that country, the ecclesiastics there, who were still more ignorant than their brethren on the other side of the Alps, set themselves to oppose its progress with more active zeal; and the patrons of the new studies, in return, attacked them with greater violence. In the writings of Reuchlin, Hutten, and the other revivers of learning in Germany, the corruptions of the Church of Rome are censured with an acrimony of style little inferior to that of Luther himself.[46]

From the same cause proceeded the frequent strictures of Erasmus upon the errors of the Church, as well as upon the ignorance and vices of the clergy. His reputation and authority were so high in Europe at the beginning of the sixteenth century, and his works were read with such universal admiration, that the effect of these deserves to be mentioned as one of the circumstances which contributed considerably towards Luther's success. Erasmus, having been destined for the Church and trained up in the knowledge of ecclesiastical literature, applied himself more to theological inquiries than any of the revivers of learning in that age. His acute judgment and extensive erudition enabled him to discover many errors both in the doctrine and worship of the Romish Church. Some of these he confuted with great solidity of reasoning and force of eloquence. Others he treated as objects of ridicule, and turned against them that irresistible torrent of popular and satirical wit of which he had the command. There was hardly any opinion or practice of the Romish Church which Luther endeavoured to reform, but what had been previously animadverted upon by Erasmus and had afforded him subject either of censure or of raillery. Accordingly, when Luther first began his attack upon the Church, Erasmus seemed to applaud his conduct; he courted the friendship of several of his disciples and patrons, and condemned the behaviour and spirit of his adversaries.[47] He concurred openly with him in inveighing against the school divines, as the teachers of a system equally unedifying and obscure. He joined him in endeavouring to turn the attention of men to the study of the Holy Scriptures as the only standard of religious truth.[48]

Various circumstances, however, prevented Erasmus from holding the same course with Luther. The natural timidity of his temper, his want of that strength of mind which alone can prompt a man to assume the character of a reformer,[49] his excessive deference for persons in high stations, his dread of losing the pensions and other emoluments which their liberality had conferred

[46] Gerdesius, Hist. Evang. Renov., vol. i. pp. 141, 157.—Seckend., lib. i. p. 103.—Von der Hardt, Hist. Literar. Reform., pars ii.

[47] Seckend., lib. i. pp. 40, 96.

[48] Von der Hardt, Histor. Literar. Reform., pars i.—Gerdes., Hist. Evang. Renov., i. 147.

[49] Erasmus himself is candid enough to acknowledge this. "Luther," says he, "has given us many a wholesome doctrine, and many a good counsel. I wish he had not defeated the effect of them by intolerable faults. But if he had written everything in the most unexceptionable manner, I had no inclination to die for the sake of truth. Every man hath not the courage requisite to make a martyr; and I am afraid that, if I were put to the trial, I should imitate St. Peter."—Epist. Erasmi, in Jortin's Life of Erasmus, vol. i. p. 273.

upon him, his extreme love of peace, and hopes of reforming abuses gradually and by gentle methods, all concurred in determining him not only to repress and to moderate the zeal with which he had once been animated against the errors of the Church,[50] but to assume the character of a mediator between Luther and his opponents. But though Erasmus soon began to censure Luther as too daring and impetuous, and was at last prevailed upon to write against him, he must nevertheless be considered as his forerunner and auxiliary in this war upon the Church. He first scattered the seeds which Luther cherished and brought to maturity. His raillery and oblique censures prepared the way for Luther's invectives and more direct attacks. In this light Erasmus appeared to the zealous defenders of the Romish Church in his own times.[51] In this light he must be considered by every person conversant in the history of that period.

In this long enumeration of the circumstances which combined in favouring the progress of Luther's opinions or in weakening the resistance of his adversaries, I have avoided entering into any discussion of the theological doctrines of popery, and have not attempted to show how repugnant they are to the spirit of Christianity, and how destitute of any foundation in reason, in the word of God, or in the practice of the primitive Church ; leaving those topics entirely to ecclesiastical historians, to whose province they peculiarly belong. But when we add the effect of these religious considerations to the influence of political causes, it is obvious that the united operation of both on the human mind must have been sudden and irresistible. Though, to Luther's contemporaries, who were too near, perhaps, to the scene, or too deeply interested in it, to trace causes with accuracy or to examine them with coolness, the rapidity with which his opinions spread appeared to be so unaccountable that some of them imputed it to a certain uncommon and malignant position of the stars, which scattered the spirit of giddiness and innovation over the world,[52] it is evident that the success of the Reformation was the natural effect of many powerful causes prepared by peculiar providence and happily conspiring to that end. This attempt to investigate these causes and to throw light on an event so singular and important will not, perhaps, be deemed an unnecessary digression. I return from it to the course of the history.

The diet of Worms conducted its deliberations with that slow formality peculiar to such assemblies. Much time was spent in establishing some regulations with regard to the internal police of the empire. The jurisdiction of the imperial chamber was confirmed, and the forms of its proceeding rendered more fixed and regular. A council of regency was appointed to assist Ferdinand in the government of the empire during any occasional absence of the emperor ; which, from the extent of the emperor's dominions, as well as the multiplicity of his affairs, was an event that might be frequently expected.[53] The state of religion was then taken into consideration. There were not wanting some plausible reasons which might have induced Charles to have declared himself the protector of Luther's cause, or at least to have connived at its progress. If he had possessed no other dominions but those which belonged to him in Germany, and no other crown besides the imperial, he might have been disposed, perhaps, to favour a man who asserted so boldly the privileges and immunities for which the empire had struggled so long with the popes. But the vast and dangerous schemes which Francis I. was forming against Charles made it necessary for him to regulate his conduct by

[50] Jortin's Life of Erasmus, vol. i. p. 258.

[51] Von der Hardt, Hist. Literar. Reform., pars i. p. 2.

[52] Jovii Historia, Lut., 1553, fol., p. 134.

[53] Pont. Heuter., Rer. Austr., lib. viii. c. 11, p. 195.—Pfeffel, Abrégé Chronol., p. 598.

views more extensive than those which would have suited a German prince; and, it being of the utmost importance to secure the pope's friendship, this determined him to treat Luther with great severity, as the most effectual method of soothing Leo into a concurrence with his measures. His eagerness to accomplish this rendered him not unwilling to gratify the papal legates in Germany, who insisted that, without any delay or formal deliberation, the diet ought to condemn a man whom the pope had already excommunicated as an incorrigible heretic. Such an abrupt manner of proceeding, however, being deemed unprecedented and unjust by the members of the diet, they made a point of Luther's appearing in person and declaring whether he adhered or not to those opinions which had drawn upon him the censures of the Church.[54] Not only the emperor, but all the princes through whose territories he had to pass, granted him a safe-conduct; and Charles wrote to him at the same time, requiring his immediate attendance on the diet, and renewing his promises of protection from any injury or violence.[55] Luther did not hesitate one moment about yielding obedience, and set out for Worms, attended by the herald who had brought the emperor's letter and safe-conduct. While on his journey, many of his friends, whom the fate of Huss under similar circumstances, and notwithstanding the same security of an imperial safe-conduct, filled with solicitude, advised and entreated him not to rush wantonly into the midst of danger. But Luther, superior to such terrors, silenced them with this reply: "I am lawfully called," said he, "to appear in that city; and thither will I go in the name of the Lord, though as many devils as there are tiles on the houses were there combined against me."[56]

The reception which he met with at Worms was such as he might have reckoned a full reward of all his labours, if vanity and the love of applause had been the principles by which he was influenced. Greater crowds assembled to behold him than had appeared at the emperor's public entry; his apartments were daily filled with princes and personages of the highest rank,[57] and he was treated with all the respect paid to those who possess the power of directing the understanding and sentiments of other men,—a homage more sincere, as well as more flattering, than any which pre-eminence in birth or condition can command. At his appearance before the diet he behaved with great decency, and with equal firmness. He readily acknowledged an excess of vehemence and acrimony in his controversial writings, but refused to retract his opinions unless he were convinced of their falsehood, or to consent to their being tried by any other rule than the word of God. When neither threats nor entreaties could prevail on him to depart from this resolution, some of the ecclesiastics proposed to imitate the example of the council of Constance, and, by punishing the author of this pestilent heresy, who was now in their power, to deliver the Church at once from such an evil. But, the members of the diet refusing to expose the German integrity to fresh reproach by a second violation of public faith, and Charles being no less unwilling to bring a stain upon the beginning of his administration by such an ignominious action, Luther was permitted to depart in safety.[58] A few days after he left the city, a severe edict was published, in the emperor's name and by authority of the diet, depriving him, as an obstinate and excommunicated criminal, of all the privileges which he enjoyed as a subject of the empire, forbidding any prince to harbour or protect him, and requiring all to concur in seizing his person as soon as the term specified in his safe-conduct was expired.[59]

[54] P. Martyr. Ep., 729.
[55] Luth., Oper., ii. 411.
[56] Ibid., 412.
[57] Seckend., 156.—Luth., Oper., ii. 414.
[58] F. Paul, Hist. of Counc., p. 13.—Seckend., 160.
[59] Gold., Const. Imperial., ii. 401.

But this rigorous decree had no considerable effect; the execution of it being prevented, partly by the multiplicity of occupations which the commotions in Spain, together with the wars in Italy and the Low Countries, created to the emperor, and partly by a prudent precaution employed by the elector of Saxony, Luther's faithful and discerning patron. As Luther, on his return from Worms, was passing near Altenstein in Thuringia, a number of horsemen in masks rushed suddenly out of a wood, where the elector had appointed them to lie in wait for him, and, surrounding his company, carried him, after dismissing all his attendants, to Wartburg, a strong castle not far distant. There the elector ordered him to be supplied with everything necessary or agreeable; but the place of his retreat was carefully concealed, until the fury of the present storm against him began to abate, upon a change in the political situation of Europe. In this solitude, where he remained nine months, and which he frequently called his Patmos, after the name of that island to which the Apostle John was banished, he exerted his usual vigour and industry in defence of his doctrines or in confutation of his adversaries, publishing several treatises, which revived the spirit of his followers, astonished to a great degree, and disheartened, at the sudden disappearance of their leader.

During his confinement his opinions continued to gain ground, acquiring the ascendant in almost every city in Saxony. At this time the Augustinians of Wittemberg, with the approbation of the university and the connivance of the elector, ventured upon the first step towards an alteration in the established forms of public worship, by abolishing the celebration of private masses, and by giving the cup as well as the bread to the laity in administering the sacrament of the Lord's supper.

Whatever consolation the courage and success of his disciples, or the progress of his doctrines in his own country, afforded Luther in his retreat, he there received information of two events which considerably damped his joy, as they seemed to lay insuperable obstacles in the way of propagating his principles in the two most powerful kingdoms of Europe. One was a solemn decree, condemning his opinions, published by the University of Paris,—the most ancient, and at that time the most respectable, of the learned societies in Europe. The other was the answer written to his book concerning the Babylonish captivity by Henry VIII. of England. That monarch, having been educated under the eye of a suspicious father, who, in order to prevent his attending to business, kept him occupied in the study of literature, still retained a greater love of learning, and stronger habits of application to it, than are common among princes of so active a disposition and such violent passions. Being ambitious of acquiring glory of every kind, as well as zealously attached to the Romish Church, and highly exasperated against Luther, who had treated Thomas Aquinas, his favourite author, with great contempt, Henry did not think it enough to exert his royal authority in opposing the opinions of the Reformer, but resolved likewise to combat them with scholastic weapons. With this view he published his treatise on the seven sacraments; which, though forgotten at present, as books of controversy always are when the occasion that produced them is past, is not destitute of polemical ingenuity and acuteness, and was represented by the flattery of his courtiers to be a work of such wonderful science and learning as exalted him no less above other authors in merit than he was distinguished among them by his rank. The pope, to whom it was presented with the greatest formality in full consistory, spoke of it in such terms as if it had been dictated by immediate inspiration, and, as a testimony of the gratitude of the Church for his extraordinary zeal, conferred on him the title of *Defender of the Faith*, an appellation which Henry soon forfeited in

the opinion of those from whom he derived it, and which is still retained by his successors, though the avowed enemy of those opinions by contending for which he merited that honourable distinction. Luther, who was not overawed either by the authority of the university or the dignity of the monarch, soon published his animadversions on both, in a style no less vehement and severe than he would have used in confuting his meanest antagonist. This indecent boldness, instead of shocking his contemporaries, was considered by them as a new proof of his undaunted spirit. A controversy managed by disputants so illustrious drew universal attention; and such was the contagion of the spirit of innovation diffused through Europe in that age, and so powerful the evidence which accompanied the doctrines of the Reformers on their first publication, that, in spite both of the civil and ecclesiastical powers combined against them, they daily gained converts both in France and in England.

How desirous soever the emperor might be to put a stop to Luther's progress, he was often obliged, during the diet at Worms, to turn his thoughts to matters still more interesting and which demanded more immediate attention. A war was ready to break out between him and the French king in Navarre, in the Low Countries, and in Italy; and it required either great address to avert the danger, or timely and wise precautions to resist it. Every circumstance, at that juncture, inclined Charles to prefer the former measure. Spain was torn with intestine commotions. In Italy, he had not hitherto secured the assistance of any one ally. In the Low Countries, his subjects trembled at the thoughts of a rupture with France, the fatal effects of which on their commerce they had often experienced. From these considerations, as well as from the solicitude of Chièvres, during his whole administration, to maintain peace between the two monarchs, proceeded the emperor's backwardness to commence hostilities. But Francis and his ministers did not breathe the same pacific spirit. He easily foresaw that concord could not long subsist where interest, emulation, and ambition conspired to dissolve it; and he possessed several advantages which flattered him with the hopes of surprising his rival, and of overpowering him, before he could put himself in a posture of defence. The French king's dominions, from their compact situation, from their subjection to the royal authority, from the genius of the people, fond of war, and attached to their sovereign by every tie of duty and affection, were more capable of a great or sudden effort than the larger but disunited territories of the emperor, in one part of which the people were in arms against his ministers, and in all his prerogative was more limited than that of his rival.

The only princes in whose power it was to have kept down, or to have extinguished, this flame on its first appearance, either neglected to exert themselves or were active in kindling and spreading it. Henry VIII., though he affected to assume the name of mediator, and both parties made frequent appeals to him, had laid aside the impartiality which suited that character. Wolsey, by his artifices, had estranged himself so entirely from the French king that he secretly fomented the discord which he ought to have composed, and waited only for some decent pretext to join his arms to those of the emperor.[60]

Leo's endeavours to excite discord between the emperor and Francis were more avowed, and had greater influence. Not only his duty as the common father of Christendom, but his interest as an Italian potentate, called upon the pope to act as the guardian of the public tranquillity, and to avoid any measure that might overturn the system which, after much bloodshed and many negotiations, was now established in Italy. Accordingly Leo, who in-

[60] Herbert.—Fiddes's Life of Wolsey, 258.

stantly discerned the propriety of this conduct, had formed a scheme, upon Charles's promotion to the imperial dignity, of rendering himself the umpire between the rivals, by soothing them alternately, while he entered into no close confederacy with either; and a pontiff less ambitious and enterprising might have saved Europe from many calamities by adhering to this plan. But this high-spirited prelate, who was still in the prime of life, longed passionately to distinguish his pontificate by some splendid action. He was impatient to wash away the infamy of having lost Parma and Placentia, the acquisition of which reflected so much lustre on the administration of his predecessor, Julius. He beheld with the indignation natural to Italians in that age the dominion which the Transalpine, or as they, in imitation of the Roman arrogance, denominated them, the barbarous nations, had attained in Italy. He flattered himself that after assisting the one monarch to strip the other of his possessions in that country he might find means of driving out the victor in his turn, and acquire the glory of restoring Italy to the liberty and happiness which it had enjoyed before the invasion of Charles VIII., when every state was governed by its native princes or its own laws, and unacquainted with a foreign yoke. Extravagant and chimerical as this project may seem, it was the favourite object of almost every Italian eminent for genius or enterprise during great part of the sixteenth century. They vainly hoped that by superior skill in the artifices and refinements of negotiation they should be able to baffle the efforts of nations less polished indeed than themselves, but much more powerful and warlike. So alluring was the prospect of this to Leo that, notwithstanding the gentleness of his disposition and his fondness for the pleasures of a refined and luxurious ease, he hastened to disturb the peace of Europe, and to plunge himself into a dangerous war, with an impetuosity scarcely inferior to that of the turbulent and martial Julius.[61]

It was in Leo's power, however, to choose which of the monarchs he would take for his confederate against the other. Both of them courted his friendship; he wavered for some time between them, and at first concluded an alliance with Francis. The object of this treaty was the conquest of Naples, which the confederates agreed to divide between them. The pope, it is probable, flattered himself that the brisk and active spirit of Francis, seconded by the same qualities in his subjects, would get the start of the slow and wary counsels of the emperor, and that they might overrun with ease this detached portion of his dominions, ill provided for defence and always the prey of every invader. But whether the French king, by discovering too openly his suspicion of Leo's sincerity, disappointed these hopes; whether the treaty was only an artifice of the pope's to cover the more serious negotiations which he was carrying on with Charles; whether he was enticed by the prospect of reaping great advantages from a union with that prince; or whether he was soothed by the zeal which Charles had manifested for the honour of the Church in condemning Luther,—certain it is that he soon deserted his new ally, and made overtures of friendship, though with great secrecy, to the emperor.[62] Don John Manuel, the same man who had been the favourite of Philip, and whose address had disconcerted all Ferdinand's schemes, having been delivered, upon the death of that monarch, from the prison to which he had been confined, was now the imperial ambassador at Rome, and fully capable of improving this favourable disposition in the pope to his master's advantage.[63] To him the conduct of this negotiation was entirely committed; and being carefully concealed from Chièvres, whose aversion to a war with France would have prompted

[61] Guic., lib. xiv. p. 173.
[62] Ibid., p. 175.—Mém. de Bellay, Par., 1573, p. 24.
[63] Jovii Vita Leonis, lib. iv. p. 89.

him to retard or to defeat it, an alliance between the pope and emperor was quickly concluded.[64] The chief articles in this treaty, which proved the foundation of Charles's grandeur in Italy, were that the pope and emperor should join their forces to expel the French out of the Milanese, the possession of which should be granted to Francis Sforza, a son of Ludovico the Moor, who had resided at Trent since the time that his brother Maximilian had been dispossessed of his dominions by the French king; that Parma and Placentia should be restored to the Church; that the emperor should assist the pope in conquering Ferrara; that the annual tribute paid by the kingdom of Naples to the holy see should be increased; that the emperor should take the family of Medici under his protection; that he should grant to the cardinal of that name a pension of ten thousand ducats upon the archbishopric of Toledo, and should settle lands in the kingdom of Naples, to the same value, upon Alexander, the natural son of Lorenzo de' Medici.

The transacting an affair of such moment without his participation appeared to Chièvres so decisive a proof of his having lost the ascendant which he had hitherto maintained over the mind of his pupil, that his chagrin on this account, added to the melancholy with which he was overwhelmed on taking a view of the many and unavoidable calamities attending a war against France, is said to have shortened his days.[65] But though this, perhaps, may be only the conjecture of historians, fond of attributing everything that befalls illustrious personages to extraordinary causes, and of ascribing even their diseases and death to the effect of political passions, which are more apt to disturb the enjoyment than to abridge the period of life, it is certain that his death, at this critical juncture, extinguished all hopes of avoiding a rupture with France.[66] This event, too, delivered Charles from a minister to whose authority he had been accustomed from his infancy to submit with such implicit deference as checked and depressed his genius and retained him in a state of pupilage unbecoming his years as well as his rank. But this restraint being removed, the native powers of his mind were permitted to unfold themselves, and he began to display such great talents, both in council and in action, as exceeded the hopes of his contemporaries,[67] and command the admiration of posterity.

While the pope and emperor were preparing, in consequence of this secret alliance, to attack Milan, hostilities commenced in another quarter. The children of John d'Albret, king of Navarre, having often demanded the restitution of their hereditary dominions, in terms of the treaty of Noyon, and Charles having as often eluded their requests upon very frivolous pretexts, Francis thought himself authorized by that treaty to assist the exiled family. The juncture appeared extremely favourable for such an enterprise. Charles was at a distance from that part of his dominions; the troops usually stationed there had been called away to quell the commotions in Spain; the Spanish malecontents warmly solicited him to invade Navarre,[68] in which a considerable faction was ready to declare for the descendants of their ancient monarchs. But, in order to avoid as much as possible giving offence to the emperor, or king of England, Francis directed forces to be levied, and the war to be carried on, not in his own name, but in that of Henry d'Albret. The conduct of these troops was committed to Andrew de Foix, de l'Esparre, a young nobleman, whom his near alliance to the unfortunate king whose battles he was to fight, and, what was still more powerful, the interest of his sister, Madame de

[64] Guic., lib. xiv. 181.—Mém. de Bellay, p. 24.—Du Mont, Corps Diplom., tom. iv., suppl., p. 96.

[65] Belcarrii Comment. de Reb. Gallic., 483.

[66] P. Heuter., Rer. Austr., lib. viii. c. 11, p. 197.

[67] P. Martyr. Ep., 735.

[68] Ibid., 721.

Chateaubriand, Francis's favourite mistress, recommended to that important trust, for which he had neither talents nor experience. But, as there was no army in the field to oppose him, he became master, in a few days, of the whole kingdom of Navarre, without meeting with any obstruction but from the citadel of Pampeluna. The additional works of this fortress, begun by Ximenes, were still unfinished; nor would its slight resistance have deserved notice, if Ignatio Loyola, a Biscayan gentleman, had not been dangerously wounded in its defence. During the progress of a lingering cure, Loyola happened to have no other amusement than what he found in reading the lives of the saints: the effect of this on his mind, naturally enthusiastic, but ambitious and daring, was to inspire him with such a desire of emulating the glory of these fabulous worthies of the Roman Church as led him into the wildest and most extravagant adventures, which terminated at last in instituting the society of Jesuits, the most political and best regulated of all the monastic orders, and from which mankind have derived more advantages and received greater injury than from any other of those religious fraternities.

If, upon the reduction of Pampeluna, L'Esparre had been satisfied with taking proper precautions for securing his conquest, the kingdom of Navarre might still have remained annexed to the crown of France in reality as well as in title. But, pushed on by youthful ardour, and encouraged by Francis, who was too apt to be dazzled with success, he ventured to pass the confines of Navarre, and to lay siege to Logrogno, a small town in Castile. This roused the Castilians, who had hitherto beheld the rapid progress of his arms with great unconcern, and, the dissensions in that kingdom (of which a full account shall be given) being almost composed, both parties exerted themselves with emulation in defence of their country: the one, that it might efface the memory of past misconduct by its present zeal; the other, that it might add to the merit of having subdued the emperor's rebellious subjects that of repulsing his foreign enemies. The sudden advance of their troops, together with the gallant defence made by the inhabitants of Logrogno, obliged the French general to abandon his rash enterprise. The Spanish army, which increased every day, harassing him during his retreat, he, instead of taking shelter under the cannon of Pampeluna, or waiting the arrival of some troops which were marching to join him, attacked the Spaniards, though far superior to him in number, with great impetuosity, but with so little conduct that his forces were totally routed, he himself, together with his principal officers, was taken prisoner, and Spain recovered possession of Navarre in still shorter time than the French had spent in the conquest of it.[69]

While Francis endeavoured to justify his invasion of Navarre by carrying it on in the name of Henry d'Albret, he had recourse to an artifice much of the same kind in attacking another part of the emperor's territories. Robert de la Mark, lord of the small but independent territory of Bouillon, situated on the frontiers of Luxembourg and Champagne, having abandoned Charles's service on account of an encroachment which the Aulic Council had made on his jurisdiction, and having thrown himself upon France for protection, was easily persuaded, in the heat of his resentment, to send a herald to Worms and to declare war against the emperor in form. Such extravagant insolence in a petty prince surprised Charles, and appeared to him a certain proof of his having received promises of powerful support from the French king. The justness of this conclusion soon became evident. Robert entered the duchy of Luxembourg with troops levied in France, by the king's connivance, though seemingly in contradiction to his orders, and, after ravaging the open country,

[69] Mém. de Bellay, p. 21.—P. Martyr. Ep., 726.

laid siege to Vireton. Of this Charles complained loudly, as a direct violation of the peace subsisting between the two crowns, and summoned Henry VIII., in terms of the treaty concluded at London in the year 1518, to turn his arms against Francis as the first aggressor. Francis pretended that he was not answerable for Robert's conduct, whose army fought under his own standards and in his own quarrel, and affirmed that, contrary to an express prohibition, he had seduced some subjects of France into his service; but Henry paid so little regard to this evasion that the French king, rather than irritate a prince whom he still hoped to gain, commanded De la Mark to disband his troops.[70]

The emperor, meanwhile, was assembling an army to chastise Robert's insolence. Twenty thousand men, under the count of Nassau, invaded his little territories, and in a few days became masters of every place in them but Sedan. After making him feel so sensibly the weight of his master's indignation, Nassau advanced towards the frontiers of France; and Charles, knowing that he might presume so far on Henry's partiality in his favour as not to be overawed by the same fears which had restrained Francis, ordered his general to besiege Mouson. The cowardice of the garrison having obliged the governor to surrender almost without resistance, Nassau invested Mézières, a place at that time of no considerable strength, but so advantageously situated that by getting possession of it the imperial army might have penetrated into the heart of Champagne, in which there was hardly any other town capable of obstructing its progress. Happily for France, its monarch, sensible of the importance of this fortress and of the danger to which it was exposed, committed the defence of it to the Chevalier Bayard, distinguished among his contemporaries by the appellation of *The knight without fear and without reproach.*[71] This man, whose prowess in combat, whose punctilious honour and formal gallantry, bear a nearer resemblance than anything recorded in history to the character ascribed to the heroes of chivalry, possessed all the talents which form a great general. These he had many occasions of exerting in the defence of Mézières. Partly by his valour, partly by his conduct, he protracted the siege to a great length, and in the end obliged the imperialists to raise it, with disgrace and loss.[72] Francis, at the head of a numerous army, soon retook Mouson, and, entering the Low Countries, made several conquests of small importance. In the neighbourhood of Valenciennes, through an excess of caution, an error with which he cannot be often charged, he lost an opportunity of cutting off the whole imperial army;[73] and, what was still more unfortunate, he disgusted Charles, duke of Bourbon, high constable of France, by giving the command of the van to the duke d'Alençon, though this post of honour belonged to Bourbon, as a prerogative of his office.

During these operations in the field, a congress was held at Calais, under the mediation of Henry VIII., in order to bring all differences to an amicable issue; and if the intention of the mediator had corresponded in any degree to his professions, it could hardly have failed of producing some good effect. But Henry committed the sole management of the negotiation, with unlimited powers, to Wolsey; and this choice alone was sufficient to have rendered it abortive. That prelate, bent on attaining the papal crown, the great object of his ambition, and ready to sacrifice everything in order to gain the emperor's interest, was so little able to conceal his partiality that if Francis had not been well acquainted with his haughty and vindictive temper he would have declined his mediation. Much time was spent in inquiring who had begun

[70] Mém. de Bellay, p. 22, etc.—Mém. de Fleurranges, p. 335, etc.

[71] Œuvres de Brantome, tom. vi. 114.

[72] Mém. de Bellay, p. 25, etc.

[73] P. Martyr. Ep., 747.—Mém. de Bellay, p. 35.

hostilities, which Wolsey affected to represent as the principal point; and by throwing the blame of that on Francis he hoped to justify by the treaty of London any alliance into which his master should enter with Charles. The conditions on which hostilities might be terminated came next to be considered; but with regard to these the emperor's proposals were such as discovered either that he was utterly averse to peace, or that he knew Wolsey would approve of whatever terms should be offered in his name. He demanded the restitution of the duchy of Burgundy, a province the possession of which would have given him access into the heart of France, and required to be released from the homage due to the crown of France for the counties of Flanders and Artois, which none of his ancestors had ever refused, and which he had bound himself by the treaty of Noyon to renew. These terms, to which a high-spirited prince would scarcely have listened, after the disasters of an unfortunate war, Francis rejected with great disdain; and Charles showing no inclination to comply with the more equal and moderate propositions of the French monarch, that he should restore Navarre to its lawful prince and withdraw his troops from the siege of Tournay, the congress broke up without any other effect than that which attends unsuccessful negotiations, —the exasperating of the parties whom it was intended to reconcile.[74]

During the continuance of the congress, Wolsey, on pretence that the emperor himself would be more willing to make reasonable concessions than his ministers, made an excursion to Bruges to meet that monarch. He was received by Charles, who knew his vanity, with as much respect and magnificence as if he had been king of England. But, instead of advancing the treaty of peace by this interview, Wolsey, in his master's name, concluded a league with the emperor against Francis; in which it was stipulated that Charles should invade France on the side of Spain, and Henry in Picardy, each with an army of forty thousand men, and that, in order to strengthen their union, Charles should espouse the princess Mary, Henry's only child, and the apparent heir of his dominions.[75] Henry produced no better reasons for this measure, equally unjust and impolitic, than the article in the treaty of London by which he pretended that he was bound to take arms against the French king as the first aggressor, and the injury which he alleged Francis had done him in permitting the duke of Albany, the head of a faction in Scotland which opposed the interest of England, to return into that kingdom. He was influenced, however, by other considerations. The advantages which accrued to his subjects from maintaining an exact neutrality, or the honour that resulted to himself from acting as the arbiter between the contending princes, appeared to his youthful imagination so inconsiderable, when compared with the glory which might be reaped from leading armies or conquering provinces, that he determined to remain no longer in a state of inactivity. Having once taken this resolution, his inducements to prefer an alliance with Charles were obvious. He had no claim upon any part of that prince's dominions, most of which were so situated that he could not attack them without great difficulty and disadvantage; whereas several maritime provinces of France had been long in the hands of the English monarchs, whose pretensions even to the crown of that kingdom were not as yet altogether forgotten; and the possession of Calais not only gave him easy access into some of those provinces, but, in case of any disaster, afforded him a secure retreat. While Charles attacked France on one frontier, Henry flattered himself that he should find little resistance on the other, and that the glory of reannexing to the crown of England the ancient inheritance of its monarchs on the Continent was reserved

[74] P. Martyr. Ep., 739.—Herbert.

[75] Rymer, Fœder., xiii.—Herbert.

for his reign. Wolsey artfully encouraged these vain hopes, which led his master into such measures as were most subservient to his own secret schemes; and the English, whose hereditary animosity against the French was apt to rekindle on every occasion, did not disapprove of the martial spirit of their sovereign.

Meanwhile, the league between the pope and the emperor produced great effects in Italy, and rendered Lombardy the chief theatre of war. There was at that time such contrariety between the character of the French and the Italians that the latter submitted to the government of the former with greater impatience than they expressed under the dominion of other foreigners. The phlegm of the Germans and gravity of the Spaniards suited their jealous temper and ceremonious manners better than the French gayety, too prone to gallantry and too little attentive to decorum. Louis XII., however, by the equity and gentleness of his administration, and by granting the Milanese more extensive privileges than those they had enjoyed under their native princes, had overcome in a great measure their prejudices and reconciled them to the French government. Francis, on recovering that duchy, did not imitate the example of his predecessor. Though too generous himself to oppress his people, his boundless confidence in his favourites, and his negligence in examining into the conduct of those whom he intrusted with power, emboldened them to venture upon any acts of oppression. The government of Milan was committed by him to Odet de Foix, Maréchal de Lautrec, another brother of Madame de Chateaubriand, an officer of great experience and reputation, but haughty, imperious, rapacious, and incapable either of listening to advice or of bearing contradiction. His insolence and exactions totally alienated the affections of the Milanese from France, drove many of the considerable citizens into banishment, and forced others to retire for their own safety. Among the last was Jerome Morone, vice-chancellor of Milan, a man whose genius for intrigue and enterprise distinguished him in an age and country where violent factions, as well as frequent revolutions, affording great scope for such talents, produced or called them forth in great abundance. He repaired to Francis Sforza, whose brother Maximilian he had betrayed; and suspecting the pope's intention of attacking the Milanese, although his treaty with the emperor was not yet made public, he proposed to Leo, in the name of Sforza, a scheme for surprising several places in that duchy by means of the exiles, who, from hatred to the French, and from attachment to their former masters, were ready for any desperate enterprise. Leo not only encouraged the attempt, but advanced a considerable sum towards the execution of it; and when, through unforeseen accidents, it failed of success in every part, he allowed the exiles, who had assembled in a body, to retire to Reggio, which belonged at that time to the Church. The Maréchal de Foix, who commanded at Milan in the absence of his brother Lautrec, who was then in France, tempted with the hopes of catching at once, as in a snare, all the avowed enemies of his master's government in that country, ventured to march into the ecclesiastical territories and to invest Reggio. But the vigilance and good conduct of Guicciardini, the historian, governor of that place, obliged the French general to abandon the enterprise with disgrace.[76] Leo, on receiving this intelligence, with which he was highly pleased, as it furnished him a decent pretence for a rupture with France, immediately assembled the consistory of cardinals. After complaining bitterly of the hostile intentions of the French king, and magnifying the emperor's zeal for the Church, of which he had given a recent proof by his proceedings against Luther, he declared that he was constrained, in self-

[76] Guic., lib. xiv. 183.—Mém. de Bellay, p. 33, etc.

defence, and as the only expedient for the security of the ecclesiastical state, to join his arms to those of that prince. For this purpose, he now pretended to conclude a treaty with Don John Manuel, although it had really been signed some months before this time; and he publicly excommunicated De Foix, as an impious invader of St. Peter's patrimony.

Leo had already begun preparations for war by taking into pay a considerable body of Swiss; but the imperial troops advanced so slowly from Naples and Germany that it was the middle of autumn before the army took the field, under the command of Prosper Colonna, the most eminent of the Italian generals, whose extreme caution, the effect of long experience in the art of war, was opposed with great propriety to the impetuosity of the French. In the mean time, De Foix despatched courier after courier to inform the king of the danger which was approaching. Francis, whose forces were either employed in the Low Countries or assembling on the frontiers of Spain, and who did not expect so sudden an attack in that quarter, sent ambassadors to his allies the Swiss, to procure from them the immediate levy of an additional body of troops, and commanded Lautrec to repair forthwith to his government. That general, who was well acquainted with the great neglect of economy in the administration of the king's finances, and who knew how much the troops in the Milanese had already suffered from the want of their pay, refused to set out unless the sum of three hundred thousand crowns was immediately put into his hands. But the king, Louise of Savoy, his mother, Semblancy, the superintendent of finances, having promised, even with an oath, that on his arrival at Milan he should find remittances for the sum which he demanded, upon the faith of this he departed. Unhappily for France, Louise, a woman deceitful, vindictive, rapacious, and capable of sacrificing anything to the gratification of her passions, but who had acquired an absolute ascendant over her son by her maternal tenderness, her care of his education, and her great abilities, was resolved not to perform this promise. Lautrec having incurred her displeasure by his haughtiness in neglecting to pay court to her, and by the freedom with which he had talked concerning some of her adventures in gallantry, she, in order to deprive him of the honour which he might have gained by a successful defence of the Milanese, seized the three hundred thousand crowns destined for that service and detained them for her own use.

Lautrec, notwithstanding this cruel disappointment, found means to assemble a considerable army, though far inferior in number to that of the confederates. He adopted the plan of defence most suitable to his situation, avoiding a pitched battle with the greatest care, while he harassed the enemy continually with his light troops, beat up their quarters, intercepted their convoys, and covered or relieved every place which they attempted to attack. By this prudent conduct he not only retarded their progress, but would have soon wearied out the pope, who had hitherto defrayed almost the whole expense of the war, as the emperor, whose revenues in Spain were dissipated during the commotions in that country, and who was obliged to support a numerous army in the Netherlands, could not make any considerable remittances into Italy. But an unforeseen accident disconcerted all his measures and occasioned a fatal reverse in the French affairs. A body of twelve thousand Swiss served in Lautrec's army under the banners of the republic, with which France was in alliance. In consequence of a law no less political than humane, established among the cantons, their troops were never hired out by public authority to both the contending parties in any war. This law, however, the love of gain had sometimes eluded, and private persons had been allowed to enlist in what service they pleased, though not under the public banners, but

under those of their particular officers. The cardinal of Sion, who still preserved his interest among his countrymen and his enmity to France, having prevailed on them to connive at a levy of this kind, twelve thousand Swiss, instigated by him, joined the army of the confederates. But the leaders in the cantons, when they saw so many of their countrymen marching under the hostile standards and ready to turn their arms against each other, became so sensible of the infamy to which they would be exposed by permitting this, as well as the loss they might suffer, that they despatched couriers commanding their people to leave both armies and to return forthwith into their own country. The cardinal of Sion, however, had the address, by corrupting the messengers appointed to carry this order, to prevent it from being delivered to the Swiss in the service of the confederates; but, being intimated in due form to those in the French army, they, fatigued with the length of the campaign, and murmuring for want of pay, instantly yielded obedience, in spite of Lautrec's remonstrances and entreaties.

After the desertion of a body which formed the strength of his army, Lautrec durst no longer face the confederates. He retired towards Milan, encamped on the banks of the Adda, and placed his chief hopes of safety in preventing the enemy from passing that river; an expedient for defending a country so precarious that there are few instances of its being employed with success against any general of experience or abilities. Accordingly, Colonna, notwithstanding Lautrec's vigilance and activity, passed the Adda with little loss, and obliged him to shut himself up within the walls of Milan, which the confederates were preparing to besiege, when an unknown person, who never afterwards appeared either to boast of this service or to claim a reward for it, came from the city, and acquainted Morone that if the army would advance that night the Ghibelline or imperial faction would put them in possession of one of the gates. Colonna, though no friend to rash enterprises, allowed the marquis de Pescara to advance with the Spanish infantry, and he himself followed with the rest of his troops. About the beginning of night, Pescara, arriving at the Roman gate in the suburbs, surprised the soldiers whom he found there. Those posted in the fortifications adjoining to it immediately fled; the marquis, seizing the works which they abandoned, and pushing forward incessantly, though with no less caution than vigour, became master of the city with little bloodshed, and almost without resistance, the victors being as much astonished as the vanquished at the facility and success of the attempt. Lautrec retired precipitately towards the Venetian territories with the remains of his shattered army; the cities of the Milanese, following the fate of the capital, surrendered to the confederates; Parma and Placentia were united to the ecclesiastical state; and, of all their conquests in Lombardy, only the town of Cremona, the castle of Milan, and a few inconsiderable forts, remained in the hands of the French.[77]

Leo received the accounts of this rapid succession of prosperous events with such transports of joy as brought on (if we may believe the French historians) a slight fever, which, being neglected, occasioned his death on the 2nd of December, while he was still of a vigorous age and at the height of his glory. By this unexpected accident the spirit of the confederacy was broken and its operation suspended. The cardinals of Sion and Medici left the army, that they might be present in the conclave; the Swiss were recalled by their superiors; some other mercenaries disbanded for want of pay; and only the Spaniards, and a few Germans in the emperor's service, remained to defend

[77] Guic., lib. xiv. 190, etc.—Mém. de Bellay, 42, etc.—Galeacii Capella de Reb. gest. pro restitut.—Fran. Sfortiæ Comment., ap. Scordium, vol. ii. 180, etc.

the Milanese. But Lautrec, destitute both of men and of money, was unable to improve this favourable opportunity in the manner which he would have wished. The vigilance of Morone, and the good conduct of Colonna, disappointed his feeble attempts on the Milanese. Guicciardini, by his address and valour, repulsed a bolder and more dangerous attack which he made on Parma.[78]

Great discord prevailed in the conclave which followed upon Leo's death, and all the arts natural to men grown old in intrigue, when contending for the highest prize an ecclesiastic can obtain, were practised. Wolsey's name, notwithstanding all the emperor's magnificent promises to favour his pretensions, of which that prelate did not fail to remind him, was hardly mentioned in the conclave. Julio, Cardinal de Medici, Leo's nephew, who was more eminent than any other member of the college for his abilities, his wealth, and his experience in transacting great affairs, had already secured fifteen voices, a number sufficient, according to the forms of the conclave, to exclude any other candidate, though not to carry his own election. As he was still in the prime of life, all the aged cardinals combined against him, without being united in favour of any other person. While these factions were endeavouring to gain, to corrupt, or to weary out each other, Medici and his adherents voted one morning at the scrutiny, which, according to the form, was made every day, for Cardinal Adrian of Utrecht, who at that time governed Spain in the emperor's name. This they did merely to protract time. But, the adverse party instantly closing with them, to their amazement and that of all Europe, a stranger to Italy, unknown to the persons who gave their suffrages in his favour, and unacquainted with the manners of the people or the interest of the state the government of which they conferred upon him, was unanimously raised to the papal throne at a juncture so delicate and critical as would have demanded all the sagacity and experience of one of the most able prelates in the sacred college. The cardinals themselves, unable to give a reason for this strange choice, on account of which, as they marched in procession from the conclave, they were loaded with insults and curses by the Roman people, ascribed it to an immediate impulse of the Holy Ghost. It may be imputed with greater certainty to the influence of Don John Manuel, the imperial ambassador, who by his address and intrigues facilitated the election of a person devoted to his master's service from gratitude, from interest, and from inclination.[79]

Beside the influence which Charles acquired by Adrian's promotion, it threw great lustre on his administration. To bestow on his preceptor such a noble recompense, and to place on the papal throne one whom he had raised from obscurity, were acts of uncommon magnificence and power. Francis observed, with the sensibility of a rival, the pre-eminence which the emperor was gaining, and resolved to exert himself with fresh vigour, in order to wrest from him his late conquests in Italy. The Swiss, that they might make some reparation to the French king for having withdrawn their troops from his army so unseasonably as to occasion the loss of the Milanese, permitted him to levy ten thousand men in the republic. Together with this reinforcement, Lautrec received from the king a small sum of money, which enabled him once more to take the field, and, after seizing by surprise or force, several places in the Milanese, to advance within a few miles of the capital. The confederate army was in no condition to obstruct his progress; for though the inhabitants of Milan, by the artifices of Morone, and by the popular declamations of a monk whom he employed, were inflamed with such enthusiastic zeal

[78] Guic., lib. xiv. 214.

[79] Herm. Moringi Vita Hadriani, ap. Casp. Burman. in Analect. de Hadr., p. 52.—Conclav. Hadr., ibid. p. 144, etc.

against the French government that they consented to raise extraordinary contributions, Colonna must soon have abandoned the advantageous camp which he had chosen at Biocca, and have dismissed his troops for want of pay, if the Swiss in the French service had not once more extricated him out of his difficulties.

The insolence and caprice of those mercenaries were often no less fatal to their friends than their valour and discipline were formidable to their enemies. Having now served some months without pay, of which they complained loudly, a sum destined for their use was sent from France under a convoy of horse; but Morone, whose vigilant eye nothing escaped, posted a body of troops in their way, so that the party which escorted the money durst not advance. On receiving intelligence of this, the Swiss lost all patience, and officers, as well as soldiers, crowding around Lautrec, threatened with one voice instantly to retire, if he did not either advance the pay which was due, or promise to lead them next morning to battle. In vain did Lautrec remonstrate against these demands, representing to them the impossibility of the former and the rashness of the latter, which must be attended with certain destruction, as the enemy occupied a camp naturally of great strength, and which by art they had rendered almost inaccessible. The Swiss, deaf to reason, and persuaded that their valour was capable of surmounting every obstacle, renewed their demand with great fierceness, offering themselves to form the vanguard and to begin the attack. Lautrec, unable to overcome their obstinacy, complied with their request, hoping, perhaps, that some of those unforeseen accidents which so often determine the fate of battles might crown this rash enterprise with undeserved success, and convinced that the effects of a defeat could not be more fatal than those which would certainly follow upon the retreat of a body which composed one-half of his army. Next morning the Swiss were early in the field, and marched with the greatest intrepidity against an enemy deeply intrenched on every side, surrounded with artillery, and prepared to receive them. As they advanced, they sustained a furious cannonade with great firmness, and, without waiting for their own artillery, rushed impetuously upon the entrenchments. But, after incredible efforts of valour, which were seconded with great spirit by the French, having lost their bravest officers and best soldiers, and finding that they could make no impression on the enemy's works, they sounded a retreat; leaving the field of battle, however, like men repulsed but not vanquished, in close array, and without receiving any molestation from the enemy.

Next day, such as survived set out for their own country; and Lautrec, despairing of being able to make any further resistance, retired into France, after throwing garrisons into Cremona and a few other places; all of which, except the citadel of Cremona, Colonna soon obliged to surrender.

Genoa, however, and its territories, remaining subject to France, still gave Francis considerable footing in Italy, and made it easy for him to execute any scheme for the recovery of the Milanese. But Colonna, rendered enterprising by continual success, and excited by the solicitations of the faction of the Adorni, the hereditary enemies of the Fregosi, who, under the protection of France, possessed the chief authority in Genoa, determined to attempt the reduction of that state, and accomplished it with amazing facility. He became master of Genoa by an accident as unexpected as that which had given him possession of Milan; and, almost without opposition or bloodshed, the power of the Adorni and the authority of the emperor were established in Genoa.[80]

Such a cruel succession of misfortunes affected Francis with deep concern,

[80] Jovii Vita Ferdin. Davali, p. 344.—Guic., lib. xiv. 223.

which was not a little augmented by the unexpected arrival of an English herald, who, in the name of his sovereign, declared war in form against France. This step was taken in consequence of the treaty which Wolsey had concluded with the emperor at Bruges, and which had hitherto been kept secret. Francis, though he had reason to be surprised with this denunciation, after having been at such pains to soothe Henry and to gain his minister, received the herald with great composure and dignity,[81] and, without abandoning any of the schemes which he was forming against the emperor, began vigorous preparations for resisting this new enemy. His treasury, however, being exhausted by the efforts which he had already made, as well as by the sums he expended on his pleasures, he had recourse to extraordinary expedients for supplying it. Several new offices were created and exposed to sale; the royal demesnes were alienated; unusual taxes were imposed; and the tomb of St. Martin was stripped of a rail of massive silver with which Louis XI., in one of his fits of devotion, had encircled it. By means of these expedients he was enabled to levy a considerable army, and to put the frontier towns in a good posture of defence.

The emperor, meanwhile, was no less solicitous to draw as much advantage as possible from the accession of such a powerful ally; and the prosperous situation of his affairs at this time permitting him to set out for Spain, where his presence was extremely necessary, he visited the court of England on his way to that country. He proposed by this interview not only to strengthen the bonds of friendship which united him with Henry, and to excite him to push the war against France with vigour, but hoped to remove any disgust or resentment that Wolsey might have conceived on account of the mortifying disappointment which he had met with in the late conclave. His success exceeded his most sanguine expectations; and by his artful address, during a residence of six weeks in England, he gained not only the king and the minister, but the nation itself. Henry, whose vanity was sensibly flattered by such a visit, as well as by the studied respect with which the emperor treated him on every occasion, entered warmly into all his schemes. The cardinal, foreseeing, from Adrian's age and infirmities, a sudden vacancy in the papal see, dissembled or forgot his resentment; and as Charles, besides augmenting the pensions which he had already settled on him, renewed his promise of favouring his pretensions to the papacy with all his interest, he endeavoured to merit the former, and to secure the accomplishment of the latter, by fresh services. The nation, sharing in the glory of its monarch, and pleased with the confidence which the emperor placed in the English, by creating the earl of Surrey his high-admiral, discovered no less inclination to commence hostilities than Henry himself.

In order to give Charles, before he left England, a proof of this general ardour, Surrey sailed with such forces as were ready, and ravaged the coasts of Normandy. He then made a descent on Bretagne, where he plundered and burnt Morlaix, and some other places of less consequence. After these slight excursions, attended with greater dishonour than damage to France, he repaired to Calais, and took the command of the principal army, consisting of sixteen thousand men; with which, having joined the Flemish troops under the Count de Buren, he advanced into Picardy. The army which Francis had assembled was far inferior in number to these united bodies; but during the long wars between the two nations the French had discovered the proper method of defending their country against the English. They had been taught by their misfortunes to avoid a pitched battle with the utmost care, and to

[81] Journal de Louise de Savoie, p. 119.

endeavour, by throwing garrisons into every place capable of resistance, by watching all the enemy's motions, by intercepting their convoys, attacking their advanced posts, and harassing them continually with their numerous cavalry, to ruin them with the length of war, or to beat them by piecemeal. This plan the duke of Vendôme, the French general in Picardy, pursued with no less prudence than success, and not only prevented Surrey from taking any town of importance, but obliged him to retire with his army, greatly reduced by fatigue, by want of provisions, and by the loss which it had sustained in several unsuccessful skirmishes.

Thus ended the second campaign, in a war the most general that had hitherto been kindled in Europe; and though Francis, by his mother's ill-timed resentment, by the disgusting insolence of his general, and the caprice of the mercenary troops which he employed, had lost his conquests in Italy, yet all the powers combined against him had not been able to make any impression on his hereditary dominions; and wherever they either intended or attempted an attack, he was well prepared to receive them.

While the Christian princes were thus wasting each other's strength, Solyman the Magnificent entered Hungary with a numerous army, and, investing Belgrade, which was deemed the chief barrier of that kingdom against the Turkish arms, soon forced it to surrender. Encouraged by this success, he turned his victorious arms against the island of Rhodes, the seat, at that time, of the knights of St. John of Jerusalem. This small state he attacked with such a numerous army as the lords of Asia have been accustomed, in every age, to bring into the field. Two hundred thousand men, and a fleet of four hundred sail, appeared against a town defended by a garrison consisting of five thousand soldiers and six hundred knights, under the command of Villiers de L'Isle Adam, the grand master, whose wisdom and valour rendered him worthy of that station at such a dangerous juncture. No sooner did he begin to suspect the destination of Solyman's vast armaments than he despatched messengers to all the Christian courts, imploring their aid against the common enemy. But though every prince in that age acknowledged Rhodes to be the great bulwark of Christendom in the East, and trusted to the gallantry of its knights as the best security against the progress of the Ottoman arms,—though Adrian, with a zeal which became the head and father of the Church, exhorted the contending powers to forget their private quarrels, and, by uniting their arms, to prevent the infidels from destroying a society which did honour to the Christian name,—yet so violent and implacable was the animosity of both parties that, regardless of the danger to which they exposed all Europe, and unmoved by the entreaties of the grand master or the admonitions of the pope, they suffered Solyman to carry on his operations against Rhodes without disturbance. The grand master, after incredible efforts of courage, of patience, and of military conduct, during a siege of six months,—after sustaining many assaults, and disputing every post with amazing obstinacy,—was obliged at last to yield to numbers; and, having obtained an honourable capitulation from the sultan, who admired and respected his virtue, he surrendered the town, which was reduced to a heap of rubbish and destitute of every resource.[82] Charles and Francis, ashamed of having occasioned such a loss to Christendom by their ambitious contests, endeavoured to throw the blame of it on each other, while all Europe, with greater justice, imputed it equally to both. The emperor, by way of reparation, granted the knights of St. John the small island of Malta, in which they fixed their residence, retaining, though with less power and splendour, their ancient spirit, and implacable enmity to the infidels.

[82] Fontanus de Bello Rhodio, ap. Scardii Script. Rer. German., vol. ii. p. 88.—P. Barre, Hist. d'Alem., tom. viii. 57

BOOK III.

Insurrections—Attempts of the Regent, Adrian, to suppress them—Confederacy in Castile against him—Measures taken by the Emperor—Remonstrance of the Junta—They take up Arms—Their Negotiations with the Nobles—The Junta under Padilla defeated in Battle—Defence of Toledo by his Widow—The War in Valencia and in Majorca—Generosity of the Emperor—Reception of Adrian at Rome—His Pacific Policy—A New League against France—Treachery of the Duke of Bourbon—Francis attacks Milan—Death of Adrian, and Election of Clement VII.—Disappointment of Wolsey—Progress of the War with France—Pope Clement unable to bring about Peace—The French abandon the Milanese—Death of Bayard—The Reformation in Germany—Luther translates the Bible—The Diet at Nuremberg proposes a General Council—The Diet presents a List of Grievances to the Pope—Opinion at Rome concerning the Policy of Adrian—Clement's Measures against Luther.

CHARLES, having had the satisfaction of seeing hostilities begun between France and England, took leave of Henry, and arrived in Spain on the 17th of June, 1522. He found that country just beginning to recover order and strength after the miseries of a civil war, to which it had been exposed during his absence; an account of the rise and progress of which, as it was but little connected with the other events which happened in Europe, hath been reserved to this place.

No sooner was it known that the cortes assembled in Galicia had voted the emperor a *free gift*, without obtaining the redress of any one grievance, than it excited universal indignation. The citizens of Toledo, who considered themselves, on account of the great privileges which they enjoyed, as guardians of the liberties of the Castilian commons, finding that no regard was paid to the remonstrances of their deputies against that unconstitutional grant, took arms with tumultuary violence, and, seizing the gates of the city, which were fortified, attacked the alcazar or castle, which they soon obliged the governor to surrender. Emboldened by this success, they deprived of all authority every person whom they suspected of any attachment to the court, established a popular form of government, composed of deputies from the several parishes in the city, and levied troops in their own defence. The chief leader of the people in these insurrections was Don John de Padilla, the eldest son of the commendator of Castile, a young nobleman of a generous temper, of undaunted courage, and possessed of the talents, as well as of the ambition, which, in times of civil discord, raise men to power and eminence.[1] [1520]

The resentment of the citizens of Segovia produced effects still more fatal. Tordesillas, one of their representatives in the late cortes, had voted for the donative, and, being a bold and haughty man, ventured, upon his return, to call together his fellow-citizens in the great church, that he might give them, according to custom, an account of his conduct in the assembly. But the multitude, unable to bear his insolence in attempting to justify what they thought inexcusable, burst open the gates of the church with the utmost fury,

[1] Sandoval, p. 77.

and, seizing the unhappy Tordesillas, dragged him through the streets, with a thousand curses and insults, towards the place of public execution. In vain did the dean and canons come forth in procession with the holy sacrament in order to appease their rage. In vain did the monks of those monasteries by which they passed conjure them on their knees to spare his life, or at least to allow him time to confess, and to receive absolution of his sins. Without listening to the dictates either of humanity or religion, they cried out, "That the hangman alone could absolve such a traitor to his country;" they then hurried him along with greater violence; and, perceiving that he had expired under their hands, they hung him up with his head downwards on the common gibbet.[2] The same spirit seized the inhabitants of Burgos, Zamora, and several other cities; and though their representatives, taking warning from the fate of Tordesillas, had been so wise as to save themselves by a timely flight, they were burnt in effigy, their houses razed to the ground, and their effects consumed with fire; and such was the horror which the people had conceived against them, as betrayers of the public liberty, that not one in those licentious multitudes would touch anything, however valuable, which had belonged to them.[3]

Adrian, at that time regent of Spain, had scarcely fixed the seat of his government at Valladolid when he was alarmed with an account of these insurrections. He immediately assembled the privy council to deliberate concerning the proper method of suppressing them. The councillors differed in opinion, some insisting that it was necessary to check this audacious spirit in its infancy by a severe execution of justice, others advising to treat with lenity a people who had some reason to be incensed, and not to drive them beyond all bounds of duty by an ill-timed rigour. The sentiments of the former, being warmly supported by the archbishop of Granada, president of the council, a person of great authority, but choleric and impetuous, were approved by Adrian, whose zeal to support his master's authority hurried him into a measure to which, from his natural caution and timidity, he would otherwise have been averse. He commanded Ronquillo, one of the king's judges, to repair instantly to Segovia, which had set the first example of mutiny, and to proceed against the delinquents according to law; and, lest the people should be so outrageous as to resist his authority, a considerable body of troops was appointed to attend him. The Segovians, foreseeing what they might expect from a judge so well known for his austere and unforgiving temper, took arms with one consent, and, having mustered twelve thousand men, shut their gates against him. Ronquillo, enraged at this insult, denounced them rebels and outlaws, and, his troops seizing all the avenues to the town, hoped that it would soon be obliged to surrender for want of provisions. The inhabitants, however, defended themselves with vigour, and, having received a considerable reinforcement from Toledo, under the command of Padilla, attacked Ronquillo, and forced him to retire with the loss of his baggage and military chest.[4] [1522.]

Upon this, Adrian ordered Antonio de Fonseca, whom the emperor had appointed commander-in-chief of the forces in Castile, to assemble an army and to besiege Segovia in form. But the inhabitants of Medina del Campo, where Cardinal Ximenes had established a vast magazine of military stores, would not suffer him to draw from it a train of battering cannon, or to destroy their countrymen with those arms which had been prepared against the enemies of the kingdom. Fonseca, who could not execute his orders without

[2] P. Martyr. Ep., 671.
[3] Sandoval, 103.—P. Martyr. Ep., 674.
[4] Sandoval, 112.—P. Martyr. Ep., 679.—Miniana, Contin., p. 15.

artillery, determined to seize the magazine by force; and, the citizens standing on their defence, he assaulted the town with great briskness; but his troops were so warmly received that, despairing of carrying the place, he set fire to some of the houses, in hopes that the citizens would abandon the walls in order to save their families and effects. Instead of that, the expedient to which he had recourse served only to increase their fury, and he was repulsed with great disgrace; while the flames, spreading from street to street, reduced to ashes almost the whole town, one of the most considerable at that time in Spain, and the great mart for the manufactures of Segovia and several other cities. As the warehouses were then filled with goods for the approaching fair, the loss was immense, and was felt universally. This, added to the impression which such a cruel action made on a people long unaccustomed to the horrors of civil war, enraged the Castilians almost to madness. Fonseca became the object of general hatred, and was branded with the name of incendiary, and enemy to his country. Even the citizens of Valladolid, whom the presence of the cardinal had hitherto restrained, declared that they could no longer remain inactive spectators of the sufferings of their countrymen. Taking arms with no less fury than the other cities, they burnt Fonseca's house to the ground, elected new magistrates, raised soldiers, appointed officers to command them, and guarded their walls with as much diligence as if an enemy had been ready to attack them.

The cardinal, though virtuous and disinterested, and capable of governing the kingdom with honour in times of tranquillity, possessed neither the courage nor the sagacity necessary at such a dangerous juncture. Finding himself unable to check these outrages committed under his own eye, he attempted to appease the people, by protesting that Fonseca had exceeded his orders and had by his rash conduct offended him as much as he had injured them. This condescension, the effect of irresolution and timidity, rendered the malecontents bolder and more insolent; and the cardinal having soon after recalled Fonseca, and dismissed his troops, which he could no longer afford to pay, as the treasury, drained by the rapaciousness of the Flemish ministers, had received no supply from the great cities, which were all in arms, the people were left at full liberty to act without control, and scarcely any shadow of power remained in his hands.

Nor were the proceedings of the commons the effect merely of popular and tumultuary rage: they aimed at obtaining redress of their political grievances, and an establishment of public liberty on a secure basis, objects worthy of all the zeal which they discovered in contending for them. The feudal government in Spain was at that time in a state more favourable to liberty than in any other of the great European kingdoms. This was owing chiefly to the number of great cities in that country, a circumstance I have already taken notice of, and which contributes more than any other to mitigate the rigour of the feudal institutions and to introduce a more liberal and equal form of government The inhabitants of every city formed a great corporation, with valuable immunities and privileges; they were delivered from a state of subjection and vassalage; they were admitted to a considerable share in the legislature; they had acquired the arts of industry, without which cities cannot subsist; they had accumulated wealth by engaging in commerce; and, being free and independent themselves, were ever ready to act as the guardians of the public freedom and independence. The genius of the internal government established among the inhabitants of cities, which, even in countries where despotic power prevails most, is democratical and republican, rendered the idea of liberty familiar and dear to them. Their representatives in the cortes

were accustomed, with equal spirit, to check the encroachments of the king and the oppression of the nobles. They endeavoured to extend the privileges of their own order; they laboured to shake off the remaining encumbrances with which the spirit of feudal policy, favourable only to the nobles, had burdened them; and, conscious of being one of the most considerable orders in the state, were ambitious of becoming the most powerful.

The present juncture appeared favourable for pushing any new claim. Their sovereign was absent from his dominions; by the ill-conduct of his ministers he had lost the esteem and affection of his subjects; the people, exasperated by many injuries, had taken arms, though without concert, almost by general consent; they were animated with rage capable of carrying them to the most violent extremes; the royal treasury was exhausted, the kingdom destitute of troops, and the government committed to a stranger, of great virtue, indeed, but of abilities unequal to such a trust. The first care of Padilla and the other popular leaders, who observed and determined to improve these circumstances, was to establish some form of union or association among the malecontents, that they might act with greater regularity and pursue one common end; and as the different cities had been prompted to take arms by the same motives, and were accustomed to consider themselves as a distinct body from the rest of the subjects, they did not find this difficult. A general convention was appointed to be held at Avila. Deputies appeared there in the name of almost all the cities entitled to have representatives in the cortes. They all bound themselves, by solemn oath, to live and die in the service of the king and in defence of the privileges of their order, and, assuming the name of the "holy junta," or association, proceeded to deliberate concerning the state of the nation and the proper method of redressing its grievances. The first that naturally presented itself was the nomination of a foreigner to be regent: this they declared with one voice to be a violation of the fundamental laws of the kingdom, and resolved to send a deputation of their members to Adrian, requiring him in their name to lay aside all the ensigns of his office, and to abstain for the future from the exercise of a jurisdiction which they had pronounced illegal.[5]

While they were preparing to execute this bold resolution, Padilla accomplished an enterprise of the greatest advantage to the cause. After relieving Segovia, he marched suddenly to Tordesillas, the place where the unhappy Queen Joanna had resided since the death of her husband, and, being favoured by the inhabitants, was admitted into the town, and became master of her person, for the security of which Adrian had neglected to take proper precautions.[6] Padilla waited immediately upon the queen, and, accosting her with that profound respect which she exacted from the few persons whom she deigned to admit into her presence, acquainted her at large with the miserable condition of her Castilian subjects under the government of her son, who, being destitute of experience himself, permitted his foreign ministers to treat them with such rigour as had obliged them to take arms in defence of the liberties of their country. The queen, as if she had been awakened out of a lethargy, expressed great astonishment at what he said, and told him that, as she had never heard, until that moment, of the death of her father, or known the sufferings of her people, no blame could be imputed to her, but that now she would take care to provide a sufficient remedy. "And in the mean time," added she, "let it be your concern to do what is necessary for the public welfare." Padilla, too eager in forming a conclusion agreeable to

[5] P. Martyr. Ep., 691.
[6] Vita dell' Imper. Carl. V. dell' Alf. Ulloa, Ven., 1509, p. 67.—Miniana, Contin., p. 17.

his wishes, mistook this lucid interval of reason for a perfect return of that faculty, and, acquainting the junta with what had happened, advised them to remove to Tordesillas, and to hold their meetings in that place. This was instantly done; but though Joanna received very graciously an address of the junta beseeching her to take upon herself the government of the kingdom, and, in token of her compliance, admitted all the deputies to kiss her hand,—though she was present at a tournament held on that occasion, and seemed highly satisfied with both these ceremonies, which were conducted with great magnificence in order to please her,—she soon relapsed into her former melancholy and sullenness, and could never be brought, by any arguments or entreaties, to sign any one paper necessary for the despatch of business.[7]

The junta, concealing as much as possible this last circumstance, carried on all their deliberations in the name of Joanna; and as the Castilians, who idolized the memory of Isabella, retained a wonderful attachment to her daughter, no sooner was it known that she had consented to assume the reins of government than the people expressed the most universal and immoderate joy, and, believing her recovery to be complete, ascribed it to a miraculous interposition of Heaven in order to rescue their country from the oppression of foreigners. The junta, conscious of the reputation and power which they had acquired by seeming to act under the royal authority, were no longer satisfied with requiring Adrian to resign the office of regent: they detached Padilla to Valladolid with a considerable body of troops, ordering him to seize such members of the council as were still in that city, to conduct them to Tordesillas, and to bring away the seals of the kingdom, the public archives, and treasury books. Padilla, who was received by the citizens as the deliverer of his country, executed his commission with great exactness; permitting Adrian, however, still to reside in Valladolid, though only as a private person and without any shadow of power.[8]

The emperor, to whom frequent accounts of these transactions were transmitted while he was still in Flanders, was sensible of his own imprudence and that of his ministers in having despised too long the murmurs and remontrances of the Castilians. He beheld with deep concern a kingdom the most valuable of any he possessed, and in which lay the strength and sinews of his power, just ready to disown his authority and on the point of being plunged in all the miseries of civil war. But, though his presence might have averted this calamity, he could not, at that time, visit Spain without endangering the imperial crown and allowing the French king full leisure to execute his ambitious schemes. The only point now to be deliberated upon was, whether he should attempt to gain the malecontents by indulgence and concessions, or prepare directly to suppress them by force; and he resolved to make trial of the former, while at the same time, if that should fail of success, he prepared for the latter. For this purpose he issued circular letters to all the cities of Castile, exhorting them in most gentle terms, and with assurances of full pardon, to lay down their arms; he promised such cities as had continued faithful not to exact from them the subsidy granted in the late cortes, and offered the same favour to such as returned to their duty; he engaged that no office should be conferred for the future upon any but native Castilians. On the other hand, he wrote to the nobles, exciting them to appear with vigour in defence of their own rights, and those of the crown, against the exorbitant claims of the commons; he appointed the high admiral, Don Fadrique Enriques, and the high constable of Castile, Don Iñigo de Valasco, two noblemen of great abilities as well as influence, regents

[7] Sandoval, 164.—P. Martyr. Ep., 685, 686.

[8] Sandoval, 174.—P. Martyr. Ep., 791.

of the kingdom in conjunction with Adrian; and he gave them full power and instructions, if the obstinacy of the malecontents should render it necessary, to vindicate the royal authority by force of arms.[9]

These concessions, which at the time of his leaving Spain would have fully satisfied the people, came now too late to produce any effect. The junta, relying on the unanimity with which the nation submitted to their authority, elated with the success which hitherto had accompanied all their undertakings, and seeing no military force collected to defeat or obstruct their designs, aimed at a more thorough reformation of political abuses. They had been employed for some time in preparing a remonstrance, containing a large enumeration, not only of the grievances of which they craved redress, but of such new regulations as they thought necessary for the security of their liberties. This remonstrance, which is divided into many articles relating to all the different members of which the constitution was composed, as well as the various departments in the administration of government, furnishes us with more authentic evidence concerning the intentions of the junta than can be drawn from the testimony of the later Spanish historians, who lived in times when it became fashionable, and even necessary, to represent the conduct of the malecontents in the worst light and as flowing from the worst motives. After a long preamble concerning the various calamities under which the nation groaned, and the errors and corruption in government to which these were to be imputed, they take notice of the exemplary patience wherewith the people had endured them, until self-preservation, and the duty which they owed to their country, had obliged them to assemble, in order to provide in a legal manner for their own safety and that of the constitution. For this purpose they demanded that the king would be pleased to return to his Spanish dominions and reside there, as all their former monarchs had done; that he would not marry but with consent of the cortes; that if he should be obliged at any time to leave the kingdom, it shall not be lawful to appoint any foreigner to be regent; that the present nomination of Cardinal Adrian to that office shall instantly be declared void; that he would not, at his return, bring along with him any Flemings or other strangers; that no foreign troops shall, on any pretence whatever, be introduced into the kingdom; that none but natives shall be capable of holding any office or benefice either in church or state; that no foreigner shall be naturalized; that free quarters shall not be granted to soldiers, nor to the members of the king's household, for any longer time than six days, and that only when the court is in a progress; that all the taxes shall be reduced to the same state they were in at the death of Queen Isabella; that all alienations of the royal demesnes or revenues since the queen's death shall be resumed; that all new offices created since that period shall be abolished; that the subsidy granted by the late cortes in Galicia shall not be exacted; that in all future cortes each city shall send one representative of the clergy, one of the gentry, and one of the commons, each to be elected by his own order; that the crown shall not influence or direct any city with regard to the choice of its representatives; that no member of the cortes shall receive an office or pension from the king, either for himself or for any of his family, under pain of death and confiscation of his goods; that each city or community shall pay a competent salary to its representative for his maintenance during his attendance on the cortes; that the cortes shall assemble once in three years at least, whether summoned by the king or not, and shall then inquire into the observation of the articles now agreed upon, and deliberate concerning public affairs; that

[9] P. Heuter., Rer. Austr., lib. viii. c. 6, p. 188.

the rewards which have been given or promised to any of the members of the cortes held in Galicia shall be revoked; that it shall be declared a capital crime to send gold, silver, or jewels out of the kingdom; that judges shall have fixed salaries assigned them, and shall not receive any share of the fines and forfeitures of persons condemned by them; that no grant of the goods of persons accused shall be valid if given before sentence was pronounced against them; that all privileges which the nobles have at any time obtained, to the prejudice of the commons, shall be revoked; that the government of cities or towns shall not be put into the hands of noblemen; that the possessions of the nobility shall be subject to all public taxes, in the same manner as those of the commons; that an inquiry be made into the conduct of such as have been intrusted with the management of the royal patrimony since the accession of Ferdinand, and if the king do not within thirty days appoint persons properly qualified for that service, it shall be lawful for the cortes to nominate them; that indulgences shall not be preached or dispersed in the kingdom until the cause of publishing them be examined and approved of by the cortes; that all the money arising from the sale of indulgences shall be faithfully employed in carrying on war against the infidels; that such prelates as do not reside in their dioceses six months in the year shall forfeit their revenues during the time they are absent; that the ecclesiastical judges and their officers shall not exact greater fees than those which are paid in the secular courts; that the present archbishop of Toledo, being a foreigner, be compelled to resign that dignity, which shall be conferred upon a Castilian; that the king shall ratify and hold, as good service done to him and to the kingdom, all the proceedings of the junta, and pardon any irregularites which the cities may have committed from an excess of zeal in a good cause; that he shall promise and swear in the most solemn manner to observe all these articles, and on no occasion attempt either to elude or to repeal them; and that he shall never solicit the pope or any other prelate to grant him a dispensation or absolution from this oath and promise.[10]

Such were the chief articles presented by the junta to their sovereign. As the feudal institutions in the several kingdoms of Europe were originally the same, the genius of those governments which arose from them bore a strong resemblance to each other, and the regulations which the Castilians attempted to establish on this occasion differ little from those which other nations have laboured to procure in their struggles with their monarchs for liberty. The grievances complained of and the remedies proposed by the English commons in their contests with the princes of the house of Stuart particularly resemble those upon which the junta now insisted. But the principles of liberty seem to have been better understood at this period by the Castilians than by any other people in Europe; they had acquired more liberal ideas with respect to their own rights and privileges; they had formed more bold and generous sentiments concerning government, and discovered an extent of political knowledge to which the English themselves did not attain until more than a century afterwards.

It is not improbable, however, that the spirit of reformation among the Castilians, hitherto unrestrained by authority and emboldened by success, became too impetuous, and prompted the junta to propose innovations which, by alarming the other members of the constitution, proved fatal to their cause. The nobles, who, instead of obstructing, had favoured or connived at their proceedings, while they confined their demands of redress to such grievances as had been occasioned by the king's want of experience and by the imprudence

[10] Sandoval, 206.—P. Martyr. Ep., 686.

and rapaciousness of his foreign ministers, were filled with indignation when the junta began to touch the privileges of their order, and plainly saw that the measures of the commons tended no less to break the power of the aristocracy than to limit the prerogatives of the crown. The resentment which they had conceived on account of Adrian's promotion to the regency abated considerably upon the emperor's raising the constable and admiral to joint power with him in that office; and, as their pride and dignity were less hurt by suffering the prince to possess an extensive prerogative than by admitting the high pretensions of the people, they determined to give their sovereign the assistance which he had demanded of them, and began to assemble their vassals for that purpose.

The junta, meanwhile, expected with impatience the emperor's answer to their remonstrance, which they had appointed some of their number to present. The members intrusted with this commission set out immediately for Germany; but, having received at different places certain intelligence from court that they could not venture to appear there without endangering their lives, they stopped short in their journey, and acquainted the junta of the information which had been given them.[11] This excited such violent passions as transported the whole party beyond all bounds of prudence or of moderation. That a king of Castile should deny his subjects access into his presence, or refuse to listen to their humble petitions, was represented as an act of tyranny so unprecedented and intolerable that nothing now remained but with arms in their hands to drive away that ravenous band of foreigners which encompassed the throne, who, after having devoured the wealth of the kingdom, found it necessary to prevent the cries of an injured people from reaching the ears of their sovereign. Many insisted warmly on approving a motion which had formerly been made, for depriving Charles, during the life of his mother, of the regal titles and authority which had been too rashly conferred upon him, from a false supposition of her total inability for government. Some proposed to provide a proper person to assist her in the administration of public affairs, by marrying the queen to the prince of Calabria, the heir of the Aragonese kings of Naples, who had been detained in prison since the time that Ferdinand had dispossessed his ancestors of their crown. All agreed that, as the hopes of obtaining redress and security merely by presenting their requests to their sovereign had kept them too long in a state of inaction and prevented them from taking advantage of the unanimity with which the nation declared in their favour, it was now necessary to collect their whole force, and to exert themselves with vigour, in opposing this fatal combination of the king and the nobility against their liberties.[12]

They soon took the field with twenty thousand men. Violent disputes arose concerning the command of this army. Padilla, the darling of the people and soldiers, was the only person whom they thought worthy of this honour. But Don Pedro de Giron, the eldest son of the Conde de Uruena, a young nobleman of the first order, having lately joined the commons out of private resentment against the emperor, the respect due to his birth, together with a secret desire of disappointing Padilla, of whose popularity many members of the junta had become jealous, procured him the office of general; though he soon gave them a fatal proof that he possessed neither the experience, the abilities, nor the steadiness which that important station required.

The regents, meanwhile, appointed Rioseco as the place of rendezvous for their troops, which, though far inferior to those of the commons in number, excelled them greatly in discipline and in valour. They had drawn a con-

[11] Sandoval, 143. [12] P. Martyr. Ep., 688.

siderable body of regular and veteran infantry out of Navarre. Their cavalry, which formed the chief strength of their army, consisted mostly of gentlemen accustomed to the military life and animated with the martial spirit peculiar to their order in that age. The infantry of the junta was formed entirely of citizens and mechanics, little acquainted with the use of arms. The small body of cavalry which they had been able to raise was composed of persons of ignoble birth, and perfect strangers to the service into which they entered. The character of the generals differed no less than that of their troops. The royalists were commanded by the Conde de Haro, the constable's eldest son, an officer of great experience and of distinguished abilities.

Giron marched with his army directly to Rioseco, and, seizing the villages and passes around it, hoped that the royalists would be obliged either to surrender for want of provisions, or to fight with disadvantage before all their troops were assembled. But he had not the abilities, nor his troops the patience and discipline, necessary for the execution of such a scheme. The Conde de Haro found little difficulty in conducting a considerable reinforcement through all his posts into the town; and Giron, despairing of being able to reduce it, advanced suddenly to Villapanda, a place belonging to the constable, in which the enemy had their chief magazine of provisions. By this ill-judged motion he left Tordesillas open to the royalists, whom the Conde de Haro led thither in the night with the utmost secrecy and despatch; and attacking the town, in which Giron had left no other garrison than a regiment of priests raised by the bishop of Zamora, he, by break of day, forced his way into it, after a desperate resistance, became master of the queen's person, took prisoners many members of the junta, and recovered the great seal, with the other ensigns of government.

By this fatal blow the junta lost all the reputation and authority which they had derived from seeming to act by the queen's commands; such of the nobles as had hitherto been wavering or undetermined in their choice now joined the regents, with all their forces; and an universal consternation seized the partisans of the commons. This was much increased by the suspicions they began to entertain of Giron, whom they loudly accused of having betrayed Tordesillas to the enemy; and, though that charge seems to have been destitute of foundation, the success of the royalists being owing to Giron's ill conduct rather than to his treachery, he so entirely lost credit with his party that he resigned his commission and retired to one of his castles.[13]

Such members of the junta as had escaped the enemy's hands at Tordesillas fled to Valladolid; and, as it would have required long time to supply the places of those who were prisoners by a new election, they made choice among themselves of a small number of persons, to whom they committed the supreme direction of affairs. Their army, which grew stronger every day by the arrival of troops from different parts of the kingdom, marched likewise to Valladolid; and, Padilla being appointed commander-in-chief, the spirits of the soldiery revived, and the whole party, forgetting the late misfortune, continued to express the same ardent zeal for the liberties of their country, and the same implacable animosity against their oppressors.

What they stood most in need of was money to pay their troops. A great part of their current coin had been carried out of the kingdom by the Flemings; the stated taxes levied in times of peace were inconsiderable; commerce of every kind being interrupted by the war, the sum which it yielded decreased daily; and the junta were afraid of disgusting the people by burdening them with new impositions, to which, in that age, they were little accustomed. But from

[13] Miscellaneous Tracts, by Dr. Mich. Geddes, vol. i. p. 278.

this difficulty they were extricated by Donna Maria Pacheco, Padilla's wife, a woman of noble birth, of great abilities, of boundless ambition, and animated with the most ardent zeal in support of the cause of the junta. She, with a boldness superior to those superstitious fears which often influence her sex, proposed to seize all the rich and magnificent ornaments in the cathedral of Toledo; but, lest that action, by its appearance of impiety, might offend the people, she and her retinue marched to the church in solemn procession, in mourning habits, with tears in their eyes, beating their breasts, and, falling on their knees, implored the pardon of the saints whose shrines she was about to violate. By this artifice, which screened her from the imputation of sacrilege, and persuaded the people that necessity and zeal for a good cause had constrained her, though with reluctance, to venture upon this action, she stripped the cathedral of whatever was valuable, and procured a considerable sum of money for the junta.[14] The regents, no less at a loss how to maintain their troops, the revenues of the crown having either been dissipated by the Flemings or seized by the commons, were obliged to take the queen's jewels, together with the plate belonging to the nobility, and apply them to that purpose; and when those failed, they obtained a small sum by way of loan from the king of Portugal.[15]

The nobility discovered great unwillingness to proceed to extremities with the junta. They were animated with no less hatred than the commons against the Flemings; they approved much of several articles in the remonstrance; they thought the juncture favourable not only for redressing past grievances, but for rendering the constitution more perfect and secure by new regulations; they were afraid that, while the two orders of which the legislature was composed wasted each other's strength by mutual hostilities, the crown would rise to power on the ruin or weakness of both, and encroach no less on the independence of the nobles than on the privileges of the commons. To this disposition were owing the frequent overtures of peace which the regents made to the junta, and the continual negotiations they carried on during the progress of their military operations. Nor were the terms which they offered unreasonable; for, on condition that the junta would pass from a few articles most subversive of the royal authority or inconsistent with the rights of the nobility, they engaged to procure the emperor's consent to their other demands, which if he, through the influence of evil counsellors, should refuse, several of the nobles promised to join with the commons in their endeavours to extort it.[16] Such divisions, however, prevailed among the members of the junta as prevented their deliberating calmly or judging with prudence. Some of the cities which had entered into the confederacy were filled with that mean jealousy and distrust of each other which rivalship in commerce or in grandeur is apt to inspire; the constable, by his influence and promises, had prevailed on the inhabitants of Burgos to abandon the junta, and other noblemen had shaken the fidelity of some of the lesser cities; no person had arisen among the commons of such superior abilities or elevation of mind as to acquire the direction of their affairs; Padilla, their general, was a man of popular qualities, but distrusted for that reason by those of highest rank who adhered to the junta; the conduct of Giron led the people to view with suspicion every person of noble birth who joined their party; so that the strongest marks of irresolution, mutual distrust, and mediocrity of genius appeared in all their proceedings at this time. After many consultations

[14] Sandoval, 308.—Dict. de Bayle, art. Padilla.

[15] P. Martyr. Ep., 718.

[16] P. Martyr. Ep., 695, 713.—Geddes's Tracts, i. 261.

held concerning the terms proposed by the regents, they suffered themselves to be so carried away by resentment against the nobility that, rejecting all thoughts of accommodation, they threatened to strip them of the crown lands, which they or their ancestors had usurped, and to re-annex these to the royal domain. Upon this preposterous scheme, which would at once have annihilated all the liberties for which they had been struggling, by rendering the kings of Castile absolute and independent of their subjects, they were so intent that they now exclaimed with less vehemence against the exactions of the foreign ministers than against the exorbitant power and wealth of the nobles, and seemed to hope that they might make peace with Charles by offering to enrich him with their spoils.

The success which Padilla had met with in several small rencounters, and in reducing some inconsiderable towns, helped to precipitate the members of the junta into this measure, filling them with such confidence in the valour of their troops that they hoped for an easy victory over the royalists. Padilla, that his army might not remain inactive while flushed with good fortune, laid siege to Torrelobaton, a place of greater strength and importance than any that he had hitherto ventured to attack, and which was defended by a sufficient garrison; and though the besieged made a desperate resistance, and the admiral attempted to relieve them, he took the town by storm, and give it up to be plundered by his soldiers. If he had marched instantly with his victorious army to Tordesillas, the head-quarters of the royalists, he could hardly have failed of making an effectual impression on their troops, whom he would have found in astonishment at the briskness of his operations and far from being of sufficient strength to give him battle. But the fickleness and imprudence of the junta prevented his taking this step. Incapable, like all popular associations, either of carrying on war or of making peace, they listened again to overtures of accommodation, and even agreed to a short suspension of arms. This negotiation terminated in nothing; but, while it was carrying on, many of Padilla's soldiers, unacquainted with the restraints of discipline, went off with the booty which they had got at Torrelobaton, and others, wearied out by the unusual length of the campaign, deserted.[17] The constable, too, had leisure to assemble his forces at Burgos and to prepare everything for taking the field; and as soon as the truce expired he effected a junction with the Conde de Haro, in spite of all Padilla's efforts to prevent it. They advanced immediately towards Torrelobaton; and Padilla, finding the number of his troops so diminished that he durst not risk a battle, attempted to retreat to Toro, which if he could have accomplished, the invasion of Navarre at that juncture by the French, and the necessity which the regents must have been under of detaching men to that kingdom, might have saved him from danger. But Haro, sensible how fatal the consequences would be of suffering him to escape, marched with such rapidity at the head of his cavalry that he came up with him near Villalar, and, without waiting for his infantry, advanced to the attack. Padilla's army, fatigued and disheartened by their precipitate retreat, which they could not distinguish from a flight, happened at that time to be passing over a ploughed field, on which such a violent rain had fallen that the soldiers sunk almost to the knees at every step, and remained exposed to the fire of some field-pieces which the royalists had brought along with them. All these circumstances so disconcerted and intimidated raw soldiers that, without facing the enemy or making any resistance, they fled in the utmost confusion. Padilla exerted himself with extraordinary courage and activity in order to rally them, though in

[17] Sandoval, 336.

vain; fear rendering them deaf both to his threats and entreaties. Upon which, finding matters irretrievable, and resolving not to survive the disgrace of that day and the ruin of his party, he rushed into the thickest of the enemy; but, being wounded and dismounted, he was taken prisoner. His principal officers shared the same fate; the common soldiers were allowed to depart unhurt, the nobles being too generous to kill men who threw down their arms.[18]

The resentment of his enemies did not suffer Padilla to linger long in expectation of what should befall him. Next day he was condemned to lose his head, though without any regular trial, the notoriety of the crime being supposed sufficient to supersede the formality of a legal process. He was led instantly to execution, together with Don John Bravo and Don Francis Maldonada, the former commander of the Segovians, and the latter of the troops of Salamanca. Padilla viewed the approach of death with calm but undaunted fortitude; and when Bravo, his fellow-sufferer, expressed some indignation at hearing himself proclaimed a traitor, he checked him by observing, "That yesterday was the time to have displayed the spirit of gentlemen; this day to die with the meekness of Christians." Being permitted to write to his wife and to the community of Toledo, the place of his nativity, he addressed the former with a manly and virtuous tenderness, and the latter with the exultation natural to one who considered himself as a martyr for the liberties of his country.[19] After this, he submitted quietly to his fate. Most of the Spanish

[18] Sandoval, 345, etc.—P. Martyr. Ep., 720.—Miniana, Contin., p. 26.—Epitome de la Vida y Hechos del Emperador Carlos V., por D. Juan Anton. de Vera y Zuñiga, 4to, Madrid, 1627, p. 19.

[19] The strain of these letters is so eloquent and high-spirited that I have translated them for the entertainment of my readers:

THE LETTER OF DON JOHN PADILLA TO HIS WIFE.

"Señora,—

"If your grief did not afflict me more than my own death, I should deem myself perfectly happy. For, the end of life being certain to all men, the Almighty confers a mark of distinguishing favour upon that person for whom he appoints a death such as mine, which, though lamented by many, is nevertheless acceptable unto him. It would require more time than I now have to write anything that could afford you consolation. That my enemies will not grant me, nor do I wish to delay the reception of that crown which I hope to enjoy. You may bewail your own loss, but not my death, which, being so honourable, ought not to be lamented by any. My soul, for nothing else is left to me, I bequeath to you. You will receive it as the thing in this world which you value most. I do not write to my father, Pero Lopez, because I dare not; for, though I have shown myself to be his son, in daring to lose my life I have not been the heir of his good fortune. I will not attempt to say anything more, that I may not tire the executioner, who waits for me, and that I may not excite a suspicion that in order to prolong my life I lengthen out my letter. My servant Sosia, an eye-witness, and to whom I have communicated my most secret thoughts, will inform you of what I cannot now write; and thus I rest, expecting the instrument of your grief and of my deliverance."

HIS LETTER TO THE CITY OF TOLEDO.

"To thee, the crown of Spain and the light of the whole world, free from the time of the mighty Goths,—to thee, who, by shedding the blood of strangers, as well as thy own blood, hast recovered liberty for thyself and thy neighbouring cities, thy legitimate son, Juan de Padilla, gives information how by the blood of his body thy ancient victories are to be refreshed. If fate hath not permitted my actions to be placed among your successful and celebrated exploits, the fault hath been in my ill fortune, not in my good will. This I request of thee, as of a mother, to accept, since God hath given me nothing more to lose for thy sake than that which I am now to relinquish. I am more solicitous about thy good opinion than about my own life. The shiftings of fortune, which never stand still, are many. But this I see, with infinite consolation, that I, the least of thy children, suffer death for thee; and that thou hast nursed at thy breasts such as may take vengeance for my wrongs. Many tongues will relate the manner of my death, of which I am still ignorant, though I know it to be near. My end will testify what was my desire. My soul I recommend to thee as to the patroness of Christianity. Of my body I say nothing, for it is not mine. I can write nothing more, for at this very moment I feel the knife at my throat, with greater dread of thy displeasure than apprehension of my own pain." Sandoval, Hist., vol. i. p. 478.

historians, accustomed to ideas of government and of regal power very different from those upon which he acted, have been so eager to testify their disapprobation of the cause in which he was engaged that they have neglected or have been afraid to do justice to his virtues, and, by blackening his memory, have endeavoured to deprive him of that pity which is seldom denied to illustrious sufferers.

The victory at Villalar proved as decisive as it was complete. Valladolid, the most zealous of all the associated cities, opened its gates immediately to the conquerors, and, being treated with great clemency by the regents, Medina del Campo, Segovia, and many other towns followed its example. This sudden dissolution of a confederacy, formed not upon slight disgusts or upon trifling motives, into which the whole body of the people had entered, and which had been allowed time to acquire a considerable degree of order and consistence by establishing a regular plan of government, is the strongest proof either of the inability of its leaders or of some secret discord reigning among its members. Though part of that army by which they had been subdued was obliged, a few days after the battle to march towards Navarre, in order to check the progress of the French in that kingdom, nothing could prevail on the dejected commons of Castile to take arms again, and to embrace such a favourable opportunity of acquiring those rights and privileges for which they had appeared so zealous. The city of Toledo alone, animated by Donna Maria Pacheco, Padilla's widow, who, instead of bewailing her husband with a womanish sorrow, prepared to revenge his death and to prosecute that cause in defence of which he had suffered, must be excepted. Respect for her sex, or admiration for her courage and abilities, as well as sympathy with her misfortunes and veneration for the memory of her husband, secured her the same ascendant over the people which he had possessed. The prudence and vigour with which she acted justified that confidence they placed in her. She wrote to the French general in Navarre, encouraging him to invade Castile by the offer of powerful assistance. She endeavoured, by her letters and emissaries, to revive the spirit and hopes of the other cities. She raised soldiers, and exacted a great sum from the clergy belonging to the cathedral, in order to defray the expense of keeping them on foot.[20] She employed every artifice that could interest or inflame the populace. For this purpose she ordered crucifixes to be used by her troops instead of colours, as if they had been at war with the infidels and enemies of religion; she marched through the streets of Toledo with her son, a young child, clad in deep mourning, seated on a mule, having a standard carried before him representing the manner of his father's execution.[21] By all these means she kept the minds of the people in such perpetual agitation as prevented their passions from subsiding, and rendered them insensible of the dangers to which they were exposed by standing alone in opposition to the royal authority. While the army was employed in Navarre, the regents were unable to attempt the reduction of Toledo by force; and all their endeavours, either to diminish Donna Maria's credit with the people, or to gain her by large promises and the solicitations of her brother, the Marquis de Mondeiar, proved ineffectual. Upon the expulsion of the French out of Navarre, part of the army returned into Castile and invested Toledo. Even this made no impression on the intrepid and obstinate courage of Donna Maria. She defended the town with vigour, her troops, in several sallies, beat the royalists, and no progress was made towards reducing the place until the clergy, whom she had highly offended by invading their property, ceased to support her. As soon as they received information of the death of William de Croy, archbishop of Toledo,

[20] P. Martyr. Ep., 727. [21] Sandoval, 375.

whose possession of that see was their chief grievance, and that the emperor had named a Castilian to succeed him, they openly turned against her, and persuaded the people that she had acquired such influence over them by the force of enchantments; that she was assisted by a familiar demon, which attended her in the form of a negro maid; and that by its suggestions she regulated every part of her conduct.[22] The credulous multitude, whom their impatience of a long blockade, and despair of obtaining succours, either from the cities formerly in confederacy with them or from the French, rendered desirous of peace, took arms against her, and, driving her out of the city, surrendered it to the royalists. She retired to the citadel, which she defended with amazing fortitude four months longer; and, when reduced to the last extremities, she made her escape in disguise, and fled to Portugal, where she had many relations.[23]

Upon her flight, the citadel surrendered. Tranquillity was re-established in Castile; and this bold attempt of the commons, like all unsuccessful insurrections, contributed to confirm and extend the power of the crown, which it was intended to moderate and abridge. The cortes still continued to make a part of the Castilian constitution, and was summoned to meet whenever the king stood in need of money; but instead of adhering to their ancient and cautious form, of examining and redressing public grievances before they proceeded to grant any supply, the more courtly custom of voting a donative in the first place was introduced, and the sovereign, having obtained all that he wanted, never allowed them to enter into any inquiry or to attempt any reformation injurious to his authority. The privileges which the cities had enjoyed were gradually circumscribed or abolished; their commerce began from this period to decline; and, becoming less wealthy and less populous, they lost that power and influence which they had acquired in the cortes.

While Castile was exposed to the calamities of civil war, the kingdom of Valencia was torn by intestine commotions still more violent. The association which had been formed in the city of Valencia in the year 1520, and which was distinguished by the name of the Germanada, continued to subsist after the emperor's departure from Spain. The members of it, upon pretext of defending the coasts against the descents of the corsairs of Barbary, and under sanction of that permission which Charles had rashly granted them, refused to lay down their arms. But as the grievances which the Valencians aimed at redressing proceeded from the arrogance and exactions of the nobility, rather than from any unwarrantable exercise of the royal prerogative, their resentment turned chiefly against the former. As soon as they were allowed the use of arms, and became conscious of their own strength, they grew impatient to take vengeance of their oppressors. They drove the nobles out of most of the cities, plundered their houses, wasted their lands, and assaulted their castles. They then proceeded to elect thirteen persons, one from each company of tradesmen established at Valencia, and committed the administration of government to them, under pretext that they would reform the laws, establish one uniform mode of dispensing justice, without partiality or regard to the distinction of ranks, and thus restore men to some degree of their original equality.

The nobles were obliged to take arms in self-defence. Hostilities began, and were carried on with all the rancour with which resentment at oppression inspired the one party and the idea of insulted dignity animated the other. As no person of honourable birth or of liberal education joined the Germanada, the councils as well as troops of the confederacy were conducted by low

[22] P. Martyr. Ep., 727. [23] Sandoval, 375.—P. Martyr. Ep., 754.—Ferreras, viii. 563.

mechanics, who acquired the confidence of an enraged multitude chiefly by the fierceness of their zeal and the extravagance of their proceedings. Among such men, the laws introduced in civilized nations in order to restrain or moderate the violence of war were unknown or despised; and they ran into the wildest excesses of cruelty and outrage.

The emperor, occupied with suppressing the insurrection in Castile, which more immediately threatened the supervision of his power and prerogative, was unable to give much attention to the tumults in Valencia, and left the nobility of that kingdom to fight their own battles. His viceroy, the Conde de Melito, had the supreme command of the forces which the nobles raised among the vassals. The Germanada carried on the war during the years 1520 and 1521 with a more persevering courage than could have been expected from a body so tumultuary, under the conduct of such leaders. They defeated the nobility in several actions, which, though not considerable, were extremely sharp. They repulsed them in their attempts to reduce different towns. But the nobles, by their superior skill in war, and at the head of troops more accustomed to service, gained the advantage in most of the rencounters. At length they were joined by a body of Castilian cavalry, which the regents despatched towards Valencia soon after their victory over Padilla at Villalar, and by their assistance the Valencian nobles acquired such superiority that they entirely broke and ruined the Germanada. The leaders of the party were put to death, almost without any formality of legal trial, and suffered such cruel punishments as the sense of recent injuries prompted their adversaries to inflict. The government of Valencia was re-established in its ancient form.[24]

In Aragon, violent symptoms of the same spirit of disaffection and sedition which reigned in the other kingdoms of Spain began to appear; but by the prudent conduct of the viceroy, Don John de Lanusa, they were so far composed as to prevent their breaking out into any open insurrection. But in the island of Majorca, annexed to the crown of Aragon, the same causes which had excited the commotions in Valencia produced effects no less violent. The people, impatient of the hardships which they had endured under the rigid jurisdiction of the nobility, took arms in a tumultuary manner, deposed their viceroy, drove him out of the island, and massacred every gentleman who was so unfortunate as to fall into their hands. The obstinacy with which the people of Majorca persisted in their rebellion was equal to the rage with which they began it. Many and vigorous efforts were requisite in order to reduce them to obedience; and tranquillity was re-established in every part of Spain before the Majorcans could be brought to submit to their sovereign.[25]

While the spirit of disaffection was so general among the Spaniards, and so many causes concurred in precipitating them into such violent measures in order to obtain the redress of their grievances, it may appear strange that the malecontents in the different kingdoms should have carried on their operations without any mutual concert, or even any intercourse with each other. By uniting their councils and arms, they might have acted both with greater force and with more effect. The appearance of a national confederacy would have rendered it no less respectable among the people than formidable to the

[24] Argensola, Anales de Aragon, cap. 75, 90, 99, 118.—Sayas, Anales de Aragon, cap. 5, 12, etc.—P. Martyr. Ep., lib. xxxiii. et xxxiv., passim.—Ferreras, Hist. d'Espagne, viii. 542, 564, etc.

[25] Argensola, Anales de Aragon, c. 113.—Ferreras, Hist., viii. 542.—Sayas, Anales de Aragon, cap. 7, 11, 14, 76, 81.—Ferreras, Hist. d'Espagne, viii. 579, etc., 609.

crown; and the emperor, unable to resist such a combination, must have complied with any terms which the members of it should have thought fit to prescribe. Many things, however, prevented the Spaniards from forming themselves into one body and pursuing common measures. The people of the different kingdoms in Spain, though they were become the subjects of the same sovereign, retained in full force their national antipathy to each other. The remembrance of their ancient rivalship and hostilities was still lively, and the sense of reciprocal injuries so strong as to prevent them from acting with confidence and concert. Each nation chose rather to depend on its own efforts, and to maintain the struggle alone, than to implore the aid of neighbours whom they distrusted and hated. At the same time, the forms of government in the several kingdoms of Spain were so different, and the grievances of which they complained, as well as the alterations and amendments in policy which they attempted to introduce, so various, that it was not easy to bring them to unite in any common plan. To this disunion Charles was indebted for the preservation of the Spanish crowns; and while each of the kingdoms followed separate measures, they were all obliged at last to conform to the will of their sovereign.

The arrival of the emperor in Spain filled his subjects who had been in arms against him with deep apprehensions, from which he soon delivered them by an act of clemency no less prudent than generous. After a rebellion so general, scarcely twenty persons, among so many criminals obnoxious to the law, had been punished capitally in Castile. Though strongly solicited by his council, Charles refused to shed any more blood by the hands of the executioner, and published a general pardon, extending to all crimes committed since the commencement of the insurrections, from which only fourscore persons were excepted. Even these he seems to have named rather with an intention to intimidate others than from any inclination to seize them; for when an officious courtier offered to inform him where one of the most considerable among them was concealed, he avoided it by a good-natured pleasantry. "Go," says he, "I have now no reason to be afraid of that man, but he has some cause to keep at a distance from me; and you would be better employed in telling him that I am here, than in acquainting me with the place of his retreat."[26] By this appearance of magnanimity, as well as by his care to avoid everything which had disgusted the Castilians during his former residence among them,—by his address in assuming their manners, in speaking their language, and in complying with all their humours and customs,—he acquired an ascendant over them which hardly any of their native monarchs had ever attained, and brought them to support him in all his enterprises with a zeal and valour to which he owed much of his success and grandeur.[27]

About the time that Charles landed in Spain, Adrian set out for Italy to take possession of his new dignity. But though the Roman people longed extremely for his arrival, they could not on his first appearance conceal their surprise and disappointment. After being accustomed to the princely magnificence of Julius and the elegant splendour of Leo, they beheld with contempt an old man of an humble deportment, of austere manners, an enemy to pomp, destitute of taste in the arts, and unadorned with any of the external accomplishments which the vulgar expect in those raised to eminent stations.[28] Nor did his political views and maxims seem less strange and astonishing to the pontifical ministers. He acknowledged and bewailed the corruptions which

[26] Sandoval, 377, etc.—Vida del Emperador Carlos, por Don Juan Antonio de Vera y Zuñiga, p. 30.

[27] Ulloa, Vita di Carlo V., p. 85.

[28] Guic., lib. xv. 238.—Jovii Vita Adriani, 117.—Bellefor. Epistr. des Princ., 8.

abounded in the Church, as well as in the court of Rome, and prepared to reform both; he discovered no intention of aggrandizing his family; he even scrupled at retaining such territories as some of his predecessors had acquired by violence or fraud rather than by any legal title, and for that reason he invested Francesco Maria de Rovere anew in the duchy of Urbino, of which Leo had stripped him, and surrendered to the duke of Ferrara several places wrested from him by the Church.[29] To men little habituated to see princes regulate their conduct by the maxims of morality and the principles of justice, these actions of the new pope appeared incontestable proofs of his weakness or inexperience. Adrian, who was a perfect stranger to the complex and intricate system of Italian politics, and who could place no confidence in persons whose subtle refinements in business suited so ill with the natural simplicity and candour of his own character, being often embarrassed and irresolute in his deliberations, the opinion of his incapacity daily increased, until both his person and government became objects of ridicule among his subjects.[30]

Adrian, though devoted to the emperor, endeavoured to assume the impartiality which became the common father of Christendom, and laboured to reconcile the contending princes, in order that they might unite in a league against Solyman, whose conquest of Rhodes rendered him more formidable than ever to Europe.[31] But this was an undertaking far beyond his abilities. To examine such a variety of pretensions, to adjust such a number of interfering interests, to extinguish the passions which ambition, emulation, and mutual injuries had kindled, to bring so many hostile powers to pursue the same scheme with unanimity and vigour, required not only uprightness of intention, but great superiority both of understanding and address.

The Italian states were no less desirous of peace than the pope. The imperial army under Colonna was still kept on foot; but as the emperor's revenues in Spain, in Naples, and in the Low Countries were either exhausted or applied to some other purpose, it depended entirely for pay and subsistence on the Italians. A great part of it was quartered in the ecclesiastical state, and monthly contributions were levied upon the Florentines, the Milanese, the Genoese, and Lucchese, by the viceroy of Naples; and, though all exclaimed against such oppression, and were impatient to be delivered from it, the dread of worse consequences from the rage of the army or the resentment of the emperor obliged them to submit.[32]

So much regard, however, was paid to the pope's exhortations, and to a bull which he issued, requiring all Christian princes to consent to a truce for three years, that the imperial, the French, and English ambassadors at Rome were empowered by their respective courts to treat of that matter; but, while they wasted their time in fruitless negotiations, their masters continued their preparations for war. The Venetians, who had hitherto adhered with great firmness to their alliance with Francis, being now convinced that his affairs in Italy were in a desperate situation, entered into a league against him with the emperor; to which Adrian, at the instigation of his countryman and friend, Charles de Lannoy, viceroy of Naples, who persuaded him that the only obstacles to peace arose from the ambition of the French king, soon after acceded. The other Italian states followed their example; and Francis was left without a single ally to resist the efforts of so many enemies, whose armies threatened and whose territories encompassed his dominions on every side.[33]

[29] Guic., lib. xv. 240.
[30] Jov. Vita Adr., 118.—P. Martyr. Ep., 774.—Ruscelli, Lettere de' Princ., vol. i. 87, 96, 101.
[31] Bellefor. Epistr., p. 86.
[32] Guic., lib. xv. 238.
[33] Ibid., 241, 246.

The dread of this powerful confederacy, it was thought, would have obliged Francis to keep wholly on the defensive, or at least have prevented his entertaining any thoughts of marching into Italy. But it was the character of that prince, too apt to become remiss and even negligent on ordinary occasions, to rouse at the approach of danger, and not only to encounter it with spirit and intrepidity, qualities which never forsook him, but to provide against it with diligence and industry. Before his enemies were ready to execute any of their schemes, Francis had assembled a numerous army. His authority over his own subjects was far greater than that which Charles or Henry possessed over theirs. They depended on their diets, their cortes, and their parliaments for money, which was usually granted them in small sums, very slowly, and with much reluctance. The taxes he could impose were more considerable, and levied with greater despatch; so that on this as well as on other occasions he brought his armies into the field while they were only devising ways and means for raising theirs. Sensible of this advantage, Francis hoped to disconcert all the emperor's schemes by marching in person into the Milanese; and this bold measure, the more formidable because unexpected, could scarcely have failed of producing that effect. But when the vanguard of his army had already reached Lyons, and he himself was hastening after it with a second division of his troops, the discovery of a domestic conspiracy, which threatened the ruin of the kingdom, obliged him to stop short and to alter his measures.

The author of this dangerous plot was Charles, duke of Bourbon, lord high constable, whose noble birth, vast fortune, and high office raised him to be the most powerful subject in France, as his great talents, equally suited to the field or the council, and his signal services to the crown, rendered him the most illustrious and deserving. The near resemblance between the king and him in many of their qualities, both being fond of war and ambitious to excel in manly exercises, as well as their equality in age and their proximity of blood, ought naturally to have secured to him a considerable share in that monarch's favour. But unhappily Louise, the king's mother, had contracted a violent aversion to the house of Bourbon, for no better reason than because Anne of Bretagne, the queen of Louis XII., with whom she lived in perpetual enmity, had discovered a peculiar attachment to that branch of the royal family, and had taught her son, who was too susceptible of any impression which his mother gave him, to view all the constable's actions with a mean and unbecoming jealousy. His distinguished merit at the battle of Marignano had not been sufficiently rewarded; he had been recalled from the government of Milan upon very frivolous pretences, and had met with a cold reception, which his prudent conduct in that difficult station did not deserve; the payment of his pensions had been suspended without any good cause; and during the campaign of 1521 the king, as has already been related, had affronted him in presence of the whole army, by giving the command of the van to the duke of Alençon. The constable, at first, bore these indignities with greater moderation than could have been expected from a high-spirited prince, conscious of what was due to his rank and to his services. Such a multiplicity of injuries, however, exhausted his patience; and, inspiring him with thoughts of revenge, he retired from court, and began to hold a secret correspondence with some of the emperor's ministers.

About that time the duchess of Bourbon happened to die without leaving any children. Louise, of a disposition no less amorous than vindictive, and still susceptible of the tender passions at the age of forty-six, began to view the constable, a prince as amiable as he was accomplished, with other eyes; and, notwithstanding the great disparity of their years, she formed the scheme

of marrying him. Bourbon, who might have expected everything to which an ambitious mind can aspire from the doting fondness of a woman who governed her son and the kingdom, being incapable either of imitating the queen in her sudden transition from hatred to love, or of dissembling so meanly as to pretend affection for one who had persecuted him so long with unprovoked malice, not only rejected the match, but embittered his refusal by some severe raillery on Louise's person and character. She finding herself not only contemned but insulted, her disappointed love turned into hatred, and, since she could not marry, she resolved to ruin Bourbon.

For this purpose, she consulted with the chancellor, Du Prat, a man who by a base prostitution of great talents and of superior skill in his profession had risen to that high office. By his advice a lawsuit was commenced against the constable for the whole estate belonging to the house of Bourbon. Part of it was claimed in the king's name, as having fallen to the crown; part in that of Louise, as the nearest heir in blood of the deceased duchess. Both of these claims were equally destitute of any foundation in justice; but Louise, by her solicitations and authority, and Du Prat, by employing all the artifices and chicanery of law, prevailed on the judges to order the estate to be sequestered. This unjust decision drove the constable to despair, and to measures which despair alone could have dictated. He renewed his intrigues in the imperial court, and, flattering himself that the injuries which he had suffered would justify his having recourse to any means in order to obtain revenge, he offered to transfer his allegiance from his natural sovereign to the emperor, and to assist him in the conquest of France. Charles, as well as the king of England, to whom the secret was communicated,[34] expecting prodigious advantages from his revolt, were ready to receive him with open arms, and spared neither promises nor allurements which might help to confirm him in his resolution. The emperor offered him in marriage his sister Eleanor, the widow of the king of Portugal, with an ample portion. He was included as a principal in the treaty between Charles and Henry. The counties of Provence and Dauphiné were to be settled on him, with the title of king. The emperor engaged to enter France by the Pyrenees, and Henry, supported by the Flemings, to invade Picardy; while twelve thousand Germans, levied at their common charge, were to penetrate into Burgundy and to act in concert with Bourbon, who undertook to raise six thousand men among his friends and vassals in the heart of the kingdom. The execution of this deep-laid and dangerous plot was suspended until the king should cross the Alps with the only army capable of defending his dominions; and, as he was far advanced in his march for that purpose, France was on the brink of destruction.[35]

Happily for that kingdom, a negotiation which had now been carrying on for several months, though conducted with the most profound secrecy and communicated only to a few chosen confidants, could not altogether escape the observation of the rest of the constable's numerous retainers, rendered more inquisitive by finding that they were distrusted. Two of these gave the king some intimation of a mysterious correspondence between their master and the Count de Rœux, a Flemish nobleman of great confidence with the emperor. Francis, who could not bring himself to suspect that the first prince of the blood would be so base as to betray the kingdom to its enemies, immediately repaired to Moulins, where the constable was in bed, feigning indisposition, that he might not be obliged to accompany the king into Italy, and acquainted him of the intelligence which he had received. Bourbon, with

[34] Rymer's Fœdera., xiii. 794.
[35] Thuani Hist., lib. i. c. 10.—Heuter., Rer. Austr., lib. viii. c. 18, p. 207.

great solemnity, and the most imposing affectation of ingenuity and candour, asserted his own innocence; and as his health, he said, was now more confirmed, he promised to join the army within a few days. Francis, open and candid himself, and too apt to be deceived by the appearance of those virtues in others, gave such credit to what he said that he refused to arrest him, although advised to take that precaution by his wisest counsellors; and, as if the danger had been over, he continued his march towards Lyons. The constable set out soon after, seemingly with an intention to follow him; but, turning suddenly to the left, he crossed the Rhone, and, after infinite fatigue and peril, escaped all the parties which the king, who became sensible too late of his own credulity, sent out to intercept him, and reached Italy in safety.[36]

Francis took every possible precaution to prevent the bad effects of the irreparable error which he had committed. He put garrisons in all the places of strength in the constable's territories. He seized all the gentlemen whom he could suspect of being his associates; and as he had not hitherto discovered the whole extent of the conspirators' schemes, nor knew how far the infection had spread among his subjects, he was afraid that his absence might encourage them to make some desperate attempt, and for that reason relinquished his intention of leading his army in person into Italy.

He did not, however, abandon his design on the Milanese, but appointed Admiral Bonnivet to take the supreme command in his stead, and to march into that country with an army thirty thousand strong. Bonnivet did not owe this preferment to his abilities as a general; for, of all the talents requisite to form a great commander, he possessed only personal courage, the lowest and the most common. But he was the most accomplished gentleman in the French court, of agreeable manners and insinuating address and a sprightly conversation; and Francis, who lived in great familiarity with his courtiers, was so charmed with these qualities that he honoured him on all occasions with the most partial and distinguished marks of his favour. He was, besides, the implacable enemy of Bourbon; and, as the king hardly knew whom to trust at that juncture, he thought the chief command could be lodged nowhere so safely as in his hands.

Colonna, who was intrusted with the defence of the Milanese, his own conquest, was in no condition to resist such a formidable army. He was destitute of money sufficient to pay his troops, which were reduced to a small number by sickness or desertion, and had, for that reason, been obliged to neglect every precaution necessary for the security of the country. The only plan which he formed was, to defend the passage of the river Tessino against the French; and, as if he had forgotten how easily he himself had disconcerted a similar scheme formed by Lautrec, he promised with great confidence on its being effectual. But, in spite of all his caution, it succeeded no better with him than with Lautrec. Bonnivet passed the river without loss, at a ford which had been neglected, and the imperialists retired to Milan, preparing to abandon the town as soon as the French should appear before it. By an unaccountable negligence, which Guicciardini imputes to infatuation,[37] Bonnivet did not advance for three or four days, and lost the opportunity with which his good fortune presented him. The citizens recovered from their consternation; Colonna, still active at the age of fourscore, and Morone, whose enmity to France rendered him indefatigable, were employed night and day in repairing the fortifications, in amassing provisions, in collecting troops from

[36] Mém. de Bellay, p. 64, etc.—Pasquier, Recherches de la France, p. 481.
[37] Guic., lib. xv. 254.

every quarter, and, by the time the French approached, had put the city in a condition to stand a siege. Bonnivet, after some fruitless attempts on the town, which harassed his own troops more than the enemy, was obliged, by the inclemency of the season, to retire into winter quarters.

During these transactions, Pope Adrian died,—an event so much to the satisfaction of the Roman people, whose hatred or contempt of him augmented every day, that the night after his decease they adorned the door of his chief physician's house with garlands, adding this inscription, To THE DELIVERER OF HIS COUNTRY.[38] The Cardinal de' Medici instantly renewed his pretensions to the papal dignity, and entered the conclave with high expectations on his own part, and a general opinion of the people, that they would be successful. But, though supported by the imperial faction, possessed of great personal interest, and capable of all the artifices, refinements, and corruption which reign in those assemblies, the obstinacy and intrigues of his rivals protracted the conclave to the unusual length of fifty days. The address and perseverance of the cardinal at last surmounted every obstacle. He was raised to the head of the Church, and assumed the government of it by the name of Clement VII. The choice was universally approved of. High expectations were conceived of a pope whose great talents and long experience in business seemed to qualify him no less for defending the spiritual interests of the Church, exposed to imminent danger by the progress of Luther's opinions, than for conducting its political operations with the prudence requisite at such a difficult juncture, and who, besides these advantages, rendered the ecclesiastical state more respectable by having in his hands the government of Florence, together with the wealth of the family of Medici.[39]

Cardinal Wolsey, not disheartened by the disappointment of his ambitious views at the former election, had entertained more sanguine hopes of success on this occasion. Henry wrote to the emperor, reminding him of his engagements to second the pretensions of his minister. Wolsey bestirred himself with activity suitable to the importance of the prize for which he contended, and instructed his agents at Rome to spare neither promises nor bribes in order to gain his end. But Charles had either amused him with vain hopes which he never intended to gratify, or he judged it impolitic to oppose a candidate who had such a prospect of succeeding as Medici; or perhaps the cardinals durst not venture to provoke the people of Rome, while their indignation against Adrian's memory was still fresh, by placing another *Ultramontane* on the papal throne. Wolsey, after all his expectations and endeavours, had the mortification to see a pope elected of such an age and of so vigorous a constitution that he could not derive much comfort to himself from the chance of surviving him. This second proof fully convinced Wolsey of the emperor's insincerity, and it excited in him all the resentment which a haughty mind feels on being at once disappointed and deceived; and though Clement endeavoured to soothe his vindictive nature by granting him a commission to be legate in England during life, with such ample powers as vested in him almost the whole papal jurisdiction in that kingdom, the injury he had now received made such an impression as entirely dissolved the tie which had united him to Charles, and from that moment he meditated revenge. It was necessary, however, to conceal his intention from his master, and to suspend the execution of it until, by a dexterous improvement of the incidents which might occur, he should be able gradually to alienate the king's affections from the emperor. For this reason, he was so far from expressing any uneasiness on account of the repulse which he had met with, that he abounded on every

[38] Jovii Vit. Adr., 127. [39] Guic., lib. xv. 263.

occasion, private as well as public, in declarations of his high satisfaction with Clement's promotion.[40]

Henry had, during the campaign, fulfilled with great sincerity whatever he was bound to perform by the league against France, though more slowly than he could have wished. His thoughtless profusion and total neglect of economy reduced him often to great straits for money. The operations of war were now carried on in Europe in a manner very different from that which had long prevailed. Instead of armies suddenly assembled, which under distinct chieftains followed their prince into the field for a short space and served at their own cost, troops were now levied at great charge and received regularly considerable pay. Instead of impatience on both sides to bring every quarrel to the issue of a battle, which commonly decided the fate of open countries, and allowed the barons, together with their vassals, to return to their ordinary occupations, towns were fortified with great art and defended with much obstinacy; war, from a very simple, became a very intricate science; and campaigns grew, of course, to be more tedious and less decisive. The expense which these alterations in the military system necessarily created appeared intolerable to nations hitherto unaccustomed to the burden of heavy taxes. Hence proceeded the frugal and even parsimonious spirit of the English parliaments in that age, which Henry, with all his authority, was seldom able to overcome. The commons having refused at this time to grant him the supplies which he demanded, he had recourse to the ample and almost unlimited prerogative which the kings of England then possessed, and, by a violent and unusual exertion of it, raised the money he wanted. This, however, wasted so much time that it was late in the season before his army, under the duke of Suffolk, could take the field. Being joined by a considerable body of Flemings, Suffolk marched into Picardy, and Francis, from his extravagant eagerness to recover the Milanese, having left that frontier almost unguarded, he penetrated as far as the banks of the river Oyse, within eleven leagues of Paris, filling that capital with consternation. But the arrival of some troops detached by the king, who was still at Lyons, the active gallantry of the French officers, who allowed the allies no respite night or day, the rigour of a most unnatural season, together with scarcity of provisions, compelled Suffolk to retire; and La Tramouille, who commanded in those parts, had the glory not only of having checked the progress of a formidable army with a handful of men, but of driving them with ignominy out of the French territories.[41]

The emperor's attempts upon Burgundy and Guienne were not more fortunate, though in both these provinces Francis was equally ill prepared to resist them. The conduct and valour of his generals supplied his want of foresight; the Germans, who made an irruption into one of these provinces, and the Spaniards, who attacked the other, were repulsed with great disgrace.

Thus ended the year 1523, during which Francis's good fortune and success had been such as gave all Europe a high idea of his power and resources. He had discovered and disconcerted a dangerous conspiracy, the author of which he had driven into exile almost without an attendant; he had rendered abortive all the schemes of the powerful confederacy formed against him; he had protected his dominions when attacked on three different sides; and, though his army in the Milanese had not made such progress as might have been expected from its superiority to the enemy in number, he had recovered, and still kept possession of, one-half of that duchy.

The ensuing year opened with events more disastrous to France. Fonta-

[40] Fiddes's Life of Wolsey, 294, etc.—Herbert. [41] Herbert.—Mém. de Bellay, 73, etc.

rabia was lost by the cowardice or treachery of its governor. In Italy, the allies resolved on an early and vigorous effort, in order to dispossess Bonnivet of that part of the Milanese which lies beyond the Tessino. Clement, who, under the pontificates of Leo and Adrian, had discovered an implacable enmity to France, began now to view the power which the emperor was daily acquiring in Italy with so much jealousy that he refused to accede, as his predecessors had done, to the league against Francis, and, forgetting private passions and animosities, laboured with the zeal which became his character to bring about a reconciliation among the contending parties. But all his endeavours were ineffectual: a numerous army, to which each of the allies furnished their contingent of troops, was assembled at Milan by the beginning of March. Lannoy, viceroy of Naples, took the command of it upon Colonna's death, though the chief direction of military operations was committed to Bourbon and the marquis de Pescara, the latter the ablest and most enterprising of the imperial generals; the former inspired by his resentment with new activity and invention, and acquainted so thoroughly with the characters of the French commanders, the genius of their troops, and the strength as well as weakness of their armies, as to be of infinite service to the party which he had joined. But all these advantages were nearly lost through the emperor's inability to raise money sufficient for executing the various and extensive plans which he had formed. When his troops were commanded to march, they mutinied against their leaders, demanding the pay which was due to them for some months, and, disregarding both the menaces and entreaties of their officers, threatened to pillage the city of Milan if they did not instantly receive satisfaction. Out of this difficulty the generals of the allies were extricated by Morone, who prevailing on his countrymen, over whom his influence was prodigious, to advance the sum that was requisite, the army took the field.[42]

Bonnivet was destitute of troops to oppose this army, and still more of the talents which could render him an equal match for its leaders. After various movements and encounters, described with great accuracy by the contemporary historians, a detail of which would now be equally uninteresting and uninstructive, he was forced to abandon the strong camp in which he had intrenched himself at Biagrassa. Soon after, partly by his own misconduct, partly by the activity of the enemy, who harassed and ruined his army by continual skirmishes, while they carefully declined a battle, which he often offered them, and partly by the caprice of six thousand Swiss, who refused to join his army, though within a day's march of it, he was reduced to the necessity of attempting a retreat into France through the valley of Aost. Just as he arrived on the banks of the Sessia, and began to pass that river, Bourbon and Pescara appeared with the vanguard of the allies, and attacked his rear with great fury. At the beginning of the charge, Bonnivet, while exerting himself with much valour, was wounded so dangerously that he was obliged to quit the field; and the conduct of the rear was committed to the Chevalier Bayard, who, though so much a stranger to the arts of a court that he never rose to the chief command, was always called, in times of real danger, to the post of greatest difficulty and importance. He put himself at the head of the men-at-arms, and, animating them by his presence and example to sustain the whole shock of the enemy's troops, he gained time for the rest of his countrymen to make good their retreat. But in this service he received a wound which he immediately perceived to be mortal, and, being unable to continue any longer on horseback, he ordered one of his attendants to place him under a tree, with his face towards the enemy; then, fixing his eyes on

[42] Guic., lib. xv. 267.—Capella, 190.

the guard of his sword, which he held up instead of a cross, he addressed his prayers to God, and in this posture, which became his character both as a soldier and as a Christian, he calmly awaited the approach of death. Bourbon, who led the foremost of the enemy's troops, found him in this situation, and expressed regret and pity at the sight. "Pity not me," cried the high-spirited chevalier. "I die as a man of honour ought, in the discharge of my duty: they indeed are objects of pity who fight against their king, their country, and their oath." The marquis de Pescara, passing soon after, manifested his admiration of Bayard's virtues, as well as his sorrow for his fate, with the generosity of a gallant enemy, and, finding that he could not be removed with safety from that spot, ordered a tent to be pitched there, and appointed proper persons to attend him. He died, notwithstanding their care, as his ancestors for several generations had done, in the field of battle. Pescara ordered his body to be embalmed and sent to his relations; and such was the respect paid to military merit in that age that the duke of Savoy commanded it to be received with royal honours in all the cities of his dominions: in Dauphiné, Bayard's native country, the people of all ranks came out in a solemn procession to meet it.[43]

Bonnivet led back the shattered remains of his army into France; and in one short campaign Francis was stripped of all he had possessed in Italy, and left without one ally in that country.

While the war kindled by the emulation of Charles and Francis spread over so many countries of Europe, Germany enjoyed a profound tranquillity, extremely favourable to the Reformation, which continued to make progress daily. During Luther's confinement in his retreat at Wartburg, Carlostadius, one of his disciples, animated with the same zeal, but possessed of less prudence and moderation than his master, began to propagate wild and dangerous opinions, chiefly among the lower people. Encouraged by his exhortations, they rose in several villages of Saxony, broke into the churches with tumultuary violence, and threw down and destroyed the images with which they were adorned. Those irregular and outrageous proceedings were so repugnant to all the elector's cautious maxims that if they had not received a timely check they could hardly have failed of alienating from the Reformers a prince no less jealous of his own authority than afraid of giving offence to the emperor and other patrons of the ancient opinions. Luther, sensible of the danger, immediately quitted his retreat, without waiting for Frederic's permission, and returned to Wittemberg. Happily for the Reformation, the veneration for his person and authority was still so great that his appearance alone suppressed that spirit of extravagance which began to seize his party. Carlostadius and his fanatical followers, struck dumb by his rebukes, submitted at once, and declared that they heard the voice of an angel, not of a man.[44] [1522.]

Before Luther left his retreat, he had begun to translate the Bible into the German tongue, an undertaking of no less difficulty than importance, of which he was extremely fond, and for which he was well qualified. He had a competent knowledge of the original languages; a thorough acquaintance with the style and sentiments of the inspired writers; and, though his compositions in Latin were rude and barbarous, he was reckoned a great master of the purity of his mother-tongue, and could express himself with all the elegance of which it is capable. By his own assiduous application, together with the assistance of Melancthon and several other of his disciples, he finished

[43] Bellefor. Epistr., p. 73.—Mém. de Bellay, p. 75.—Œuv. de Brant., tom. vi. p. 108, etc.—Pasquier. Recherches, p. 526.

[44] Sleid., Hist., 51.—Seck nd., 195.

part of the New Testament in the year 1522; and the publication of it proved more fatal to the Church of Rome than that of all his own works. It was read with wonderful avidity and attention by persons of every rank. They were astonished at discovering how contrary the precepts of the Author of our religion are to the inventions of those priests who pretended to be his vicegerents; and, having now in their hand the rule of faith, they thought themselves qualified, by applying it, to judge of the established opinions, and to pronounce when they were conformable to the standard or when they departed from it. The great advantages arising from Luther's translation of the Bible encouraged the advocates for reformation in the other countries of Europe to imitate his example, and to publish versions of the Scriptures in their respective languages.

About this time, Nuremberg, Frankfort, Hamburg, and several other free cities in Germany, of the first rank, openly embraced the Reformed religion, and by the authority of their magistrates abolished the mass and the other superstitious rites of popery.[45] The elector of Brandenburg, the dukes of Brunswick and Lunenburg, and prince of Anhalt, became avowed patrons of Luther's opinions and countenanced the preaching of them among their subjects.

The court of Rome beheld this growing defection with great concern; and Adrian's first care, after his arrival in Italy, had been to deliberate with the cardinals concerning the proper means of putting a stop to it. He was profoundly skilled in scholastic theology, and, having been early celebrated on that account, he still retained such an excessive admiration of the science to which he was first indebted for his reputation and success in life that he considered Luther's invectives against the schoolmen, particularly Thomas Aquinas, as little less than blasphemy. All the tenets of that doctor appeared to him so clear and irrefragable that he supposed every person who called in question or contradicted them to be either blinded by ignorance or to be acting in opposition to the conviction of his own mind. Of course, no pope was ever more bigoted or inflexible with regard to points of doctrine than Adrian: he not only maintained them, as Leo had done, because they were ancient, or because it was dangerous for the Church to allow of innovations, but he adhered to them with the zeal of a theologian and with the tenaciousness of a disputant. At the same time, his own manners being extremely simple, and unintected with any of the vices which reigned in the court of Rome, he was as sensible of its corruptions as the Reformers themselves, and viewed them with no less indignation. The brief which he addressed to the diet of the empire assembled at Nuremberg, and the instructions which he gave Cheregato, the nuncio whom he sent thither, were framed agreeably to these views. On the one hand, he condemned Luther's opinions with more asperity and rancour of expression than Leo had ever used; he severely censured the princes of Germany for suffering him to spread his pernicious tenets by their neglecting to execute the edict of the diet at Worms, and required them, if Luther did not instantly retract his errors, to destroy him with fire as a gangrened and incurable member, in like manner as Dathan and Abiram had been cut off by Moses, Ananias and Sapphira by the apostles, and John Huss and Jerome of Prague by their ancestors.[46] On the other hand, he, with great candour and in the most explicit terms, acknowledged the corruptions of the Roman court to be the source from which had flowed most of the evils that the Church now felt or dreaded; he promised to exert all his authority towards reforming

[45] Seckend, 241.—Chytræi Contin. Krantzii, 203.
[46] Fascic. Rer. expet. et fugiend., p. 342.

these abuses, with as much despatch as the nature and inveteracy of the disorders would admit; and he requested of them to give him their advice with regard to the most effectual means of suppressing that new heresy which had sprung up among them.[47]

The members of the diet, after praising the pope's pious and laudable intentions, excused themselves for not executing the edict of Worms, by alleging that the prodigious increase of Luther's followers, as well as the aversion to the court of Rome among their other subjects on account of its innumerable exactions, rendered such an attempt not only dangerous, but impossible. They affirmed that the grievances of Germany, which did not arise from imaginary injuries, but from impositions no less real than intolerable, as his holiness would learn from a catalogue of them which they intended to lay before him, called now for some new and efficacious remedy; and, in their opinion, the only remedy adequate to the disease, or which afforded them any hopes of seeing the Church restored to soundness and vigour, was a general council. Such a council, therefore, they advised him, after obtaining the emperor's consent, to assemble, without delay, in one of the great cities of Germany, that all who had a right to be present might deliberate with freedom and propose their opinions with such boldness as the dangerous situation of religion at this juncture required.[48]

The nuncio, more artful than his master, and better acquainted with the political views and interests of the Roman court, was startled at the proposition of a council, and easily foresaw how dangerous such an assembly might prove at a time when many openly denied the papal authority and the reverence and submission yielded to it visibly declined among all. For that reason, he employed his utmost address in order to prevail on the members of the diet to proceed themselves with greater severity against the Lutheran heresy, and to relinquish their proposal concerning a general council to be held in Germany. They, perceiving the nuncio to be more solicitous about the interests of the Roman court than the tranquillity of the empire or purity of the Church, remained inflexible, and continued to prepare the catalogue of their grievances to be presented to the pope.[49] The nuncio, that he might not be the bearer of a remonstrance so disagreeable to his court, left Nuremberg abruptly, without taking leave of the diet.[50]

The secular princes accordingly, for the ecclesiastics, although they gave no opposition, did not think it decent to join with them, drew up the list (so famous in the German annals) of a hundred grievances which the empire imputed to the iniquitous dominion of the papal see. This list contained grievances much of the same nature with that prepared under the reign of Maximilian. It would be tedious to enumerate each of them: they complained of the sums exacted for dispensations, absolutions, and indulgences; of the expense arising from the lawsuits carried by appeal to Rome; of the innumerable abuses occasioned by reservations, commendams, and annates; of the exemption from civil jurisdiction which the clergy had obtained; of the arts by which they brought all secular causes under the cognizance of the ecclesiastical judges; of the indecent and profligate lives which not a few of the clergy led; and of various other particulars, many of which have already been mentioned among the circumstances that contributed to the favourable reception or to the quick progress of Luther's doctrines. In the end they concluded that, if the holy see did not speedily deliver them from those intolerable burdens, they had determined to endure them no longer, and would employ

[47] Fascic. Rer. expet. et fugiend., p. 345.
[48] Ibid., p. 346.
[49] Ibid., p. 349.
[50] Ibid., p. 376

the power and authority with which God had intrusted them in order to procure relief.[51]

Instead of such severities against Luther and his followers as the nuncio had recommended, the *recess* or edict of the diet contained only a general injunction to all ranks of men to wait with patience for the determinations of the council which was to be assembled, and in the mean time not to publish any new opinions contrary to the established doctrines of the Church; together with an admonition to all preachers to abstain from matters of controversy in their discourses to the people, and to confine themselves to the plain and instructive truths of religion.[52] [1523.]

The Reformers derived great advantage from the transactions of this diet, as they afforded them the fullest and most authentic evidence that gross corruptions prevailed in the court of Rome, and that the empire was loaded by the clergy with insupportable burdens. With regard to the former, they had now the testimony of the pope himself, that their invectives and accusations were not malicious or ill founded. As to the latter, the representatives of the Germanic body, in an assembly where the patrons of the new opinions were far from being the most numerous or powerful, had pointed out as the chief grievances of the empire those very practices of the Romish Church against which Luther and his disciples were accustomed to declaim. Accordingly, in all their controversial writings after this period, they often appealed to Adrian's declaration, and to the hundred grievances, in confirmation of whatever they advanced concerning the dissolute manners, or insatiable ambition and rapaciousness, of the papal court.

At Rome, Adrian's conduct was considered as a proof of the most childish simplicity and imprudence. Men trained up amidst the artifices and corruptions of the papal court, and accustomed to judge of actions not by what was just, but by what was useful, were astonished at a pontiff who, departing from the wise maxims of his predecessors, acknowledged disorders which he ought to have concealed, and, forgetting his own dignity, asked advice of those to whom he was entitled to prescribe. By such an excess of impolitic sincerity, they were afraid that, instead of reclaiming the enemies of the Church, he would render them more presumptuous, and, instead of extinguishing heresy, would weaken the foundations of the papal power, or stop the chief sources from which wealth flowed into the Church.[53] For this reason, the cardinals, and other ecclesiastics of greatest eminence in the papal court, industriously opposed all his schemes of reformation, and, by throwing objections and difficulties in his way, endeavoured to retard or to defeat the execution of them. Adrian, amazed, on the one hand, at the obstinacy of the Lutherans, disgusted, on the other, with the manners and maxims of the Italians, and finding himself unable to correct either the one or the other, often lamented his own situation, and often looked back with pleasure on that period of his life when he was only dean of Louvain, a more humble but happier station, in which little was expected from him and there was nothing to frustrate his good intentions.[54]

Clement VII., his successor, excelled Adrian as much in the arts of government as he was inferior to him in purity of life or uprightness of intention. He was animated not only with the aversion which all popes naturally bear to a council, but, having gained his own election by means very uncanonical, he was afraid of an assembly that might subject it to a scrutiny which it could

[51] Fascic. Rer. expet. et fugiend., p. 354.
[52] Ibid., p. 348.
[53] F. Paul, Hist. of Counc., p. 28.—Palavic., Hist., 58.
[54] Jovii Vit. Adr., p. 118.

not stand. He determined, therefore, by every possible means to elude the demands of the Germans, both with respect to the calling of a council, and reforming abuses in the papal court, which the rashness and incapacity of his predecessor had brought upon him. For this purpose he made choice of Cardinal Campeggio, an artful man, often intrusted by his predecessors with negotiations of importance, as his nuncio to the diet of the empire, assembled again at Nuremberg.

Campeggio, without taking any notice of what had passed in the last meeting, exhorted the diet, in a long discourse, to execute the edict of Worms with vigour, as the only effectual means of suppressing Luther's doctrines. The diet, in return, desired to know the pope's intentions concerning the council and the redress of the hundred grievances. The former the nuncio endeavoured to elude by general and unmeaning declarations of the pope's resolution to pursue such measures as would be for the greatest good of the Church. With regard to the latter, as Adrian was dead before the catalogue of grievances reached Rome, and, of consequence, it had not been regularly laid before the present pope, Campeggio took advantage of this circumstance to decline making any definitive answer to them in Clement's name; though, at the same time, he observed that their catalogue of grievances contained many particulars extremely indecent and undutiful, and that the publishing it by their own authority was highly disrespectful to the Roman see. In the end, he renewed his demand of their proceeding with vigour against Luther and his adherents. But though an ambassador from the emperor, who was at that time very solicitous to gain the pope, warmly seconded the nuncio, with many professions of his master's zeal for the honour and dignity of the papal see, the *recess* of the diet was conceived in terms of almost the same import with the former, without enjoining any additional severity against Luther and his party.[55]

Before he left Germany, Campeggio, in order to amuse and soothe the people, published certain articles for the amendment of some disorders and abuses which prevailed among the inferior clergy; but this partial reformation, which fell so far short of the expectations of the Lutherans and of the demands of the diet, gave no satisfaction, and produced little effect. The nuncio, with a cautious hand, tenderly lopped a few branches; the Germans aimed a deeper blow, and, by striking at the root, wished to exterminate the evil.[56]

[55] Seckend., 286.—Sleid., Hist., 66. [56] Seckend., 292.

BOOK IV.

Views of the Italian States respecting Charles and Francis—Charles' invades France without Success—Francis invades the Milanese—He besieges Pavia—Neutrality of the Pope—Francis attacks Naples—Movements of the Imperial Generals—Battle of Pavia—Francis taken Prisoner—Schemes of the Emperor—Prudence of Louise the Regent—Conduct of Henry VIII. and of the Italian Powers—The Emperor's rigorous Terms to Francis—Francis carried to Spain—Henry makes a Treaty with the Regent Louise—Intrigues of Morone in Milan—He is betrayed by Pescara—Treatment of Francis—Bourbon made General and Duke of Milan—Treaty of Madrid—Liberation of Francis—Charles marries Isabella of Portugal—Affairs in Germany—Insurrections—Conduct of Luther—Prussia wrested from the Teutonic Knights—Measures of Francis upon reaching his Kingdom—A League against the Emperor—Preparations for War—The Colonnas Masters of Rome—The Pope detached from the Holy League—Position of the Emperor—Bourbon marches towards the Pope's Territories—Negotiations—Assault of Rome—Bourbon slain—The City taken and plundered—The Pope a Prisoner—Hypocrisy of the Emperor—Solyman invades Hungary—Ferdinand, Archduke of Austria, becomes King of Hungary—Progress of the Reformation.

The expulsion of the French both out of the Milanese and the republic of Genoa was considered by the Italians as the termination of the war between Charles and Francis; and as they began immediately to be apprehensive of the emperor, when they saw no power remaining in Italy capable either to control or oppose him, they longed ardently for the re-establishment of peace. Having procured the restoration of Sforza to his paternal dominions, which had been their chief motive for entering into confederacy with Charles, they plainly discovered their intention to contribute no longer towards increasing the emperor's superiority over his rival, which was already become the object of their jealousy. The pope especially, whose natural timidity increased his suspicions of Charles's designs, endeavoured by his remonstrances to inspire him with moderation and incline him to peace.

But the emperor, intoxicated with success, and urged on by his own ambition, no less than by Bourbon's desire of revenge, contemned Clement's admonitions, and declared his resolution of ordering his army to pass the Alps and to invade Provence, a part of his rival's dominions where, as he least dreaded an attack, he was least prepared to resist it. His most experienced ministers dissuaded him from undertaking such an enterprise with a feeble army and an exhausted treasury; but he relied so much on having obtained the concurrence of the king of England, and on the hopes which Bourbon, with the confidence and credulity natural to exiles, entertained of being joined by a numerous body of his partisans as soon as the imperial troops should enter France, that he persisted obstinately in the measure. Henry undertook to furnish a hundred thousand ducats towards defraying the expense of the expedition during the first month, and had it in his choice either to continue the payment of that sum monthly, or to invade Picardy before the end of July with an army capable of acting with vigour. The emperor engaged to attack Guienne at the same time with a considerable body of men; and if these enterprises proved successful, they agreed that Bourbon, besides the territories which he had lost, should be

put in possession of Provence, with the title of king, and should do homage to Henry, as the lawful king of France, for his new dominions. Of all the parts of this extensive but extravagant project the invasion of Provence was the only one which was executed. For although Bourbon, with a scrupulous delicacy, altogether unexpected after the part which he had acted, positively refused to acknowledge Henry's title to the crown of France, and thereby absolved him from any obligation to promote the enterprise, Charles's eagerness to carry his own plan into execution did not in any degree abate. The army which he employed for that purpose amounted only to eighteen thousand men, the command of which was given to the marquis de Pescara, with instructions to pay the greatest deference to Bourbon's advice in all his operations. Pescara passed the Alps without opposition, and, entering Provence, laid siege to Marseilles. Bourbon had advised him rather to march towards Lyons, in the neighbourhood of which city his territories were situated, and where of course his influence was most extensive; but the emperor was so desirous to get possession of a port which would at all times secure him an easy entrance into France that by his authority he overruled the constable's opinion, and directed Pescara to make the reduction of Marseilles his chief object.[1]

Francis, who foresaw, but was unable to prevent, this attempt, took the most proper precautions to defeat it. He laid waste the adjacent country, in order to render it more difficult for the enemy to subsist their army; he razed the suburbs of the city, strengthened its fortifications, and threw into it a numerous garrison, under the command of brave and experienced officers. To these, nine thousand of the citizens, whom their dread of the Spanish yoke inspired with contempt of danger, joined themselves; by their united courage and industry, all the efforts of Pescara's military skill and of Bourbon's activity and revenge were rendered abortive. Francis, meanwhile, had leisure to assemble a powerful army under the walls of Avignon, and no sooner began to advance towards Marseilles than the imperial troops, exhausted by the fatigues of a siege which had lasted forty days, weakened by diseases, and almost destitute of provisions, retired with precipitation towards Italy.[2]

If, during these operations of the army in Provence, either Charles or Henry had attacked France in the manner which they had projected, that kingdom must have been exposed to the most imminent danger. But on this, as well as on many other occasions, the emperor found that the extent of his revenues was not adequate to the greatness of his schemes or the ardour of his ambition, and the want of money obliged him, though with much reluctance, to circumscribe his plan and to leave part of it unexecuted. Henry, disgusted at Bourbon's refusing to recognize his right to the crown of France, alarmed at the motions of the Scots, whom the solicitations of the French king had persuaded to march towards the borders of England, and no longer incited by his minister, who was become extremely cool with regard to all the emperor's interests, took no measures to support an enterprise of which, as of all new undertakings, he had been at first excessively fond.[3]

If the king of France had been satisfied with having delivered his subjects from this formidable invasion, if he had thought it enough to show all Europe the facility with which the internal strength of his dominions enabled him to resist the invasions of a foreign enemy, even when seconded by the abilities and powerful efforts of a rebellious subject, the campaign, notwithstanding the loss of the Milanese, would have been far from ending ingloriously. But

[1] Guic., lib. xv. 273, etc.—Mém. de Bellay, p. 80.

[2] Guic., lib. xv. 277.—Ulloa, Vita di Carlo V., p. 93.

[3] Fiddes's Life of Wolsey, Append. No. 70, 71, 72.

Francis, animated with courage more becoming a soldier than a general, pushed on by ambition, enterprising rather than considerate, and too apt to be elated with success, was fond of every undertaking that seemed bold and adventurous. Such an undertaking the situation of his affairs at that juncture naturally presented to his view. He had under his command one of the most powerful and best-appointed armies France had ever brought into the field, which he could not think of disbanding without having employed it in any active service. The imperial troops had been obliged to retire, almost ruined by hard duty, and disheartened with ill success; the Milanese had been left altogether without defence; it was not impossible to reach that country before Pescara, with his shattered forces, could arrive there; or, if fear should add speed to their retreat, they were in no condition to make head against his fresh and numerous troops, and Milan would now, as in former instances, submit without resistance to a bold invader. These considerations, which were not destitute of plausibility, appeared to his sanguine temper to be of the utmost weight. In vain did his wisest ministers and generals represent to him the danger of taking the field at a season so far advanced, with an army composed chiefly of Swiss and Germans, to whose caprices he would be subject in all his operations and on whose fidelity his safety must absolutely depend. In vain did Louise of Savoy advance by hasty journeys towards Provence, that she might exert all her authority in dissuading her son from such a rash enterprise. Francis disregarded the remonstrances of his subjects; and, that he might save himself the pain of an interview with his mother, whose counsels he had determined to reject, he began his march before her arrival, appointing her, however, by way of atonement for that neglect, to be regent of the kingdom during his absence. Bonnivet, by his persuasions, contributed not a little to confirm Francis in this resolution. That favourite, who strongly resembled his master in all the defective parts of his character, was led, by his natural impetuosity, warmly to approve of such an enterprise; and being prompted besides by his impatience to visit a Milanese lady, of whom he had been deeply enamoured during his late expedition, he is said, by his flattering descriptions of her beauty and accomplishments, to have inspired Francis, who was extremely susceptible of such passions, with an equal desire of seeing her.[4]

The French passed the Alps at Mount Cenis; and, as their success depended on despatch, they advanced with the greatest diligence. Pescara, who had been obliged to take a longer and more difficult route by Monaco and Final, was soon informed of their intention, and, being sensible that nothing but the presence of his troops could save the Milanese, marched with such rapidity that he reached Alva on the same day that the French army arrived at Vercelli. Francis, instructed by Bonnivet's error in the former campaign, advanced directly towards Milan, where the unexpected approach of an enemy so powerful occasioned such consternation and disorder that, although Pescara entered the city with some of his best troops, he found that the defence of it could not be undertaken with any probability of success, and, having thrown a garrison into the citadel, retired through one gate, while the French were admitted at another.[5]

These brisk motions of the French monarch disconcerted all the schemes of defence which the imperialists had formed. Never, indeed, did generals attempt to oppose a formidable invasion under such circumstances of disadvantage. Though Charles possessed dominions more extensive than any other prince in Europe, and had at this time no other army but that which was

[4] Œuv. de Brant., tom. vi. 253. [5] Mém. de Bellay, p. 81.—Guic., lib. xv. 278.

employed in Lombardy, which did not amount to sixteen thousand men, his prerogative in all his different states was so limited, and his subjects, without whose consent he could raise no taxes, discovered such unwillingness to burden themselves with new or extraordinary impositions, that even this small body of troops was in want of pay, of ammunition, of provisions, and of clothing. In such a situation, it required all the wisdom of Lannoy, the intrepidity of Pescara, and the implacable resentment of Bourbon to preserve them from sinking under despair, and to inspire them with resolution to attempt, or sagacity to discover, what was essential to their safety. To the efforts of their genius and the activity of their zeal the emperor was more indebted for the preservation of his Italian dominions than to his own power. Lannoy, by mortgaging the revenues of Naples, procured some money, which was immediately applied towards providing the army with whatever was most necessary.[6] Pescara, who was beloved and almost adored by the Spanish troops, exhorted them to show the world, by their engaging to serve the emperor in that dangerous exigency without making any immediate demand of pay, that they were animated with sentiments of honour very different from those of mercenary soldiers; to which proposition that gallant body of men, with an unexampled generosity, gave their consent.[7] Bourbon, having raised a considerable sum by pawning his jewels, set out for Germany, where his influence was great, that by his presence he might hasten the levying of troops for the imperial service.[8]

Francis, by a fatal error, allowed the emperor's generals time to derive advantage from all these operations. Instead of pursuing the enemy, who retired to Lodi on the Adda, an untenable post, which Pescara had resolved to abandon on the approach of the French, he, in compliance with the opinion of Bonnivet, though contrary to that of his other generals, laid siege to Pavia on the Tessino,—a town, indeed, of great importance, the possession of which would have opened to him all the fertile country lying on the banks of that river. But the fortifications of the place were strong; it was dangerous to undertake a difficult siege at so late a season; and the imperial generals, sensible of its consequence, had thrown into the town a garrison composed of six thousand veterans under the command of Antonio de Leyva, an officer of high rank, of great experience, of a patient but enterprising courage, fertile in resources, ambitious of distinguishing himself, and capable, for that reason, as well as from his having been long accustomed both to obey and to command, of suffering or performing anything in order to procure success.

Francis prosecuted the siege with obstinacy equal to the rashness with which he had undertaken it. During three months, everything known to the engineers of that age, or that could be effected by the valour of his troops, was attempted in order to reduce the place; while Lannoy and Pescara, unable to obstruct his operations, were obliged to remain in such an ignominious state of inaction that a pasquinade was published at Rome, offering a reward to any person who could find the imperial army, lost in the month of October in the mountains between France and Lombardy, and which had not been heard of since that time.[9]

Leyva, well acquainted with the difficulties under which his countrymen laboured, and the impossibility of their facing in the field such a powerful army as formed the siege of Pavia, placed his only hopes of safety in his own vigilance and valour. The efforts of both were extraordinary, and in proportion to the importance of the place with the defence of which he was intrusted.

[6] Guic., lib. xv. 280.

[7] Jovii Vit. Davali, lib. xv. p. 386.—Sandoval, vol. i. 621.—Ulloa, Vita di Carlo V., p. 94, etc.—Vida del Emperador Carlos V., por Vera y Zuñiga, p. 36.

[8] Mém. de Bellay, p. 83.

[9] Sandoval, i. 608.

He interrupted the approaches of the French by frequent and furious sallies. Behind the breaches made by their artillery he erected new works, which appeared to be scarcely inferior in strength to the original fortifications. He repulsed the besiegers in all their assaults, and, by his own example, brought not only the garrison, but the inhabitants, to bear the most severe fatigues and to encounter the greatest dangers without murmuring. The rigour of the season conspired with his endeavours in retarding the progress of the French. Francis attempting to become master of the town by diverting the course of the Tessino, which is its chief defence on one side, a sudden inundation of the river destroyed in one day the labour of many weeks, and swept away all the mounds which his army had raised with infinite toil as well as at great expense.[10]

Notwithstanding the slow progress of the besiegers, and the glory which Leyva acquired by his gallant defence, it was not doubted but that the town would at last be obliged to surrender. The pope, who already considered the French arms as superior in Italy, became impatient to disengage himself from his connections with the emperor, of whose designs he was extremely jealous, and to enter into terms of friendship with Francis. As Clement's timid and cautious temper rendered him incapable of following the bold plan which Leo had formed, of delivering Italy from the yoke of both the rivals, he returned to the more obvious and practicable scheme of employing the power of the one to balance and to restrain that of the other. For this reason, he did not dissemble his satisfaction at seeing the French king recover Milan, as he hoped that the dread of such a neighbour would be some check upon the emperor's ambition, which no power in Italy was now able to control. He laboured hard to bring about a peace that would secure Francis in the possession of his new conquests; and as Charles, who was always inflexible in the prosecution of his schemes, rejected the proposition with disdain, and with bitter exclamations against the pope, by whose persuasions, while Cardinal de' Medici, he had been induced to invade the Milanese, Clement immediately concluded a treaty of neutrality with the king of France, in which the republic of Florence was included.[11]

Francis, having by this transaction deprived the emperor of his two most powerful allies, and at the same time having secured a passage for his own troops through their territories, formed a scheme of attacking the kingdom of Naples, hoping either to overrun that country, which was left altogether without defence, or that at least such an unexpected invasion would oblige the viceroy to recall part of the imperial army out of the Milanese. For this purpose he ordered six thousand men to march under the command of John Stuart, duke of Albany. But Pescara, foreseeing that the effect of this diversion would depend entirely upon the operations of the armies in the Milanese, persuaded Lannoy to disregard Albany's motions[12] and to bend his whole force against the king himself; so that Francis not only weakened his army very unseasonably by this great detachment, but incurred the reproach of engaging too rashly in chimerical and extravagant projects.

By this time the garrison of Pavia was reduced to extremity; their ammunition and provisions began to fail; the Germans, of whom it was chiefly composed, having received no pay for seven months,[13] threatened to deliver the town into the enemy's hands, and could hardly be restrained from mutiny by all Leyva's address and authority. The imperial generals, who were no

[10] Guic., lib. xv. 280.—Ulloa, Vita di Carlo V., p. 95.
[11] Guic., lib. xv. 282, 285.
[12] Ibid., 285.
[13] Gold., Polit. Imperial., 875.

strangers to his situation, saw the necessity of marching without loss of time to his relief. This they had now in their power: twelve thousand Germans, whom the zeal and activity of Bourbon taught to move with unusual rapidity, had entered Lombardy under his command, and rendered the imperial army nearly equal to that of the French, greatly diminished by the absence of the body under Albany, as well as by the fatigues of the siege and the rigour of the season. But the more their troops increased in number, the more sensibly did the imperialists feel the distress arising from want of money. Far from having funds for paying a powerful army, they had scarcely what was sufficient for defraying the charges of conducting their artillery and of carrying their ammunition and provisions. The abilities of the generals, however, supplied every defect. By their own example, as well as by magnificent promises in the name of the emperor, they prevailed on the troops of all the different nations which composed their army to take the field without pay; they engaged to lead them directly towards the enemy, and flattered them with the certain prospect of victory, which would at once enrich them with such royal spoils as would be an ample reward for all their services. The soldiers, sensible that by quitting the army they would forfeit the great arrears due to them, and eager to get possession of the promised treasures, demanded a battle with all the impatience of adventurers who fight only for plunder.[14]

The imperial generals, without suffering the ardour of their troops to cool, advanced immediately towards the French camp. On the first intelligence of their approach, Francis called a council of war, to deliberate what course he ought to take. All his officers of greatest experience were unanimous in advising him to retire, and to decline a battle with an enemy who courted it from despair. The imperialists, they observed, would either be obliged in a few weeks to disband an army which they were unable to pay, and which they kept together only by the hope of plunder, or the soldiers, enraged at the non-performance of the promises to which they had trusted, would rise in some furious mutiny, which would allow their generals to think of nothing but their own safety; that, meanwhile, he might encamp in some strong post, and, waiting in safety the arrival of fresh troops from France and Switzerland, might, before the end of spring, take possession of all the Milanese without danger or bloodshed. But in opposition to them, Bonnivet, whose destiny it was to give counsels fatal to France during the whole campaign, represented the ignominy that it would reflect on their sovereign if he should abandon a siege which he had prosecuted so long, or turn his back before an enemy to whom he was still superior in number, and insisted on the necessity of fighting the imperialists, rather than relinquish an undertaking on the success of which the king's future fame depended. Unfortunately, Francis's notions of honour were delicate to an excess that bordered on what was romantic. Having often said that he would take Pavia or perish in the attempt, he thought himself bound not to depart from that resolution, and, rather than expose himself to the slightest imputation, he chose to forego all the advantages which were the certain consequences of a retreat, and determined to wait for the imperialists before the walls of Pavia.[15]

The imperial generals found the French so strongly intrenched that, notwithstanding the powerful motives which urged them on, they hesitated long before they ventured to attack them; but at last the necessities of the besieged, and the murmurs of their own soldiers, obliged them to put everything to hazard. Never did armies engage with greater ardour, or with a

[14] Eryci Peuteani Hist. Cisalpina, ap. Grævii Thes. Antiquit. Ital., iii. 1170, 1179.

[15] Guic., lib. xv. 291.

higher opinion of the importance of the battle which they were going to fight; never were troops more strongly animated with emulation, national antipathy, mutual resentment, and all the passions which inspire obstinate bravery. On the one hand, a gallant young monarch, seconded by a generous nobility, and followed by subjects to whose natural impetuosity indignation at the opposition which they had encountered added new force, contended for victory and honour. On the other side, troops more completely disciplined, and conducted by generals of greater abilities, fought from necessity, with courage heightened by despair. The imperialists, however, were unable to resist the first efforts of the French valour, and their firmest battalions began to give way. But the fortune of the day was quickly changed. The Swiss in the service of France, unmindful of the reputation of their country for fidelity and martial glory, abandoned their post in a cowardly manner. Leyva, with his garrison, sallied out and attacked the rear of the French, during the heat of the action, with such fury as threw it into confusion; and Pescara, falling on their cavalry with the imperial horse, among whom he had prudently intermingled a considerable number of Spanish foot, armed with the heavy muskets then in use, broke this formidable body, by an unusual method of attack, against which they were wholly unprovided. The rout became universal; and resistance ceased in almost every part but where the king was in person, who fought now not for fame or victory, but for safety. Though wounded in several places, and thrown from his horse, which was killed under him, Francis defended himself on foot with an heroic courage. Many of his bravest officers, gathering round him, and endeavouring to save his life at the expense of their own, fell at his feet. Among these was Bonnivet, the author of this great calamity, who alone died unlamented. The king, exhausted with fatigue, and scarcely capable of further resistance, was left almost alone, exposed to the fury of some Spanish soldiers, strangers to his rank and enraged at his obstinacy. At that moment came up Pomperant, a French gentleman who had entered together with Bourbon into the emperor's service, and, placing himself by the side of the monarch against whom he had rebelled, assisted in protecting him from the violence of the soldiers, at the same time beseeching him to surrender to Bourbon, who was not far distant. Imminent as the danger was which now surrounded Francis, he rejected with indignation the thoughts of an action which would have afforded such matter of triumph to his traitorous subject, and, calling for Lannoy, who happened likewise to be near at hand, gave up his sword to him; which he, kneeling to kiss the king's hand, received with profound respect, and, taking his own sword from his side, presented it to him, saying "that it did not become so great a monarch to remain disarmed in the presence of one of the emperor's subjects."[16] [February 24, 1525.]

Ten thousand men fell on this day, one of the most fatal France had ever seen. Among these were many noblemen of the highest distinction, who chose rather to perish than to turn their backs with dishonour. Not a few were taken prisoners, of whom the most illustrious was Henry d'Albret, the unfortunate king of Navarre. A small body of the rear-guard made its escape, under the command of the duke of Alençon; the feeble garrison of Milan, on the first news of the defeat, retired, without being pursued, by another road; and in two weeks after the battle not a Frenchman remained in Italy.

Lannoy, though he treated Francis with all the outward marks of honour

[16] Guic., lib. xv. 292.—Œuv. de Brant., vi. 355.—Mém. de Bellay, p. 90.—Sandoval, Hist., i. 638, etc.—P. Mart. Ep., 805, 810.—Ruscelli, Lettere de' Principi, ii. p. 70.—Ulloa, Vita di Carlo V., p. 98.

due to his rank and character, guarded him with the utmost attention. He was solicitous not only to prevent any possibility of his escaping, but afraid that his own troops might seize his person and detain it as the best security for the payment of their arrears. In order to provide against both these dangers, he conducted Francis, the day after the battle, to the strong castle of Pizzichitone, near Cremona, committing him to the custody of Don Ferdinand Alarcon, general of the Spanish infantry, an officer of great bravery and of strict honour, but remarkable for that severe and scrupulous vigilance which such a trust required.

Francis, who formed a judgment of the emperor's dispositions by his own, was extremely desirous that Charles should be informed of his situation, fondly hoping that from his generosity or sympathy he should obtain speedy relief. The imperial generals were no less impatient to give their sovereign an early account of the decisive victory which they had gained, and to receive his instructions with regard to their future conduct. As the most certain and expeditious method of conveying intelligence to Spain, at that season of the year, was by land, Francis gave the Commendador Pennalosa, who was charged with Lannoy's despatches, a passport to travel through France.

Charles received the account of this signal and unexpected success that had crowned his arms with a moderation which, if it had been real, would have done him more honour than the greatest victory. Without uttering one word expressive of exultation or of intemperate joy, he retired immediately into his chapel, and, having spent an hour in offering up his thanksgivings to Heaven, returned to the presence-chamber, which by that time was filled with grandees and foreign ambassadors, assembled in order to congratulate him. He accepted of their compliments with a modest deportment; he lamented the misfortune of the captive king, as a striking example of the sad reverse of fortune to which the most powerful monarchs are subject; he forbade any public rejoicings, as indecent in a war carried on among Christians, reserving them until he should obtain a victory equally illustrious over the infidels; and seemed to take pleasure in the advantage which he had gained only as it would prove the occasion of restoring peace to Christendom.[17]

Charles, however, had already begun to form schemes in his own mind which little suited such external appearances. Ambition, not generosity, was the ruling passion in his mind; and the victory of Pavia opened such new and unbounded prospects of gratifying it as allured him with irresistible force; but, it being no easy matter to execute the vast designs which he meditated, he thought it necessary, while proper measures were taken for that purpose, to affect the greatest moderation, hoping under that veil to conceal his real intentions from the other princes of Europe.

Meanwhile, France was filled with consternation. The king himself had early transmitted an account of the rout at Pavia, in a letter to his mother, delivered by Pennalosa, which contained only these words: "Madam, all is lost, except our honour." The officers who made their escape, when they arrived from Italy, brought such a melancholy detail of particulars as made all ranks of men sensibly feel the greatness and extent of the calamity. France, without its sovereign, without money in her treasury, without an army, without generals to command it, and encompassed on all sides by a victorious and active enemy, seemed to be on the very brink of destruction. But on that occasion the great abilities of Louise the regent saved the kingdom which the violence of her passions had more than once exposed to the greatest danger. Instead of giving herself up to such lamentations as were natural to a woman

[17] Sandoval, Hist., i. 11.—Ulloa, Vita di Carlo V., p. 110.

so remarkable for her maternal tenderness, she discovered all the foresight and exerted all the activity of a consummate politician. She assembled the nobles at Lyons, and animated them by her example, no less than by her words, with such zeal in defence of their country as its present situation required. She collected the remains of the army which had served in Italy, ransomed the prisoners, paid the arrears, and put them in a condition to take the field. She levied new troops, provided for the security of the frontiers, and raised sums sufficient for defraying these extraordinary expenses. Her chief care, however, was to appease the resentment or to gain the friendship of the king of England; and from that quarter the first ray of comfort broke in upon the French.

Though Henry, in entering into alliances with Charles or Francis, seldom followed any regular or concerted plan of policy, but was influenced chiefly by the caprice of temporary passions, such occurrences often happened as recalled his attention towards that equal balance of power which it was necessary to keep between the two contending potentates, the preservation of which he always boasted to be his peculiar office. He had expected that his union with the emperor might afford him an opportunity of recovering some part of those territories in France which had belonged to his ancestors, and for the sake of such an acquisition he did not scruple to give his assistance towards raising Charles to a considerable pre-eminence above Francis. He had never dreamt, however, of any event so decisive and so fatal as the victory at Pavia, which seemed not only to have broken, but to have annihilated, the power of one of the rivals; so that the prospect of the sudden and entire revolution which this would occasion in the political system filled him with the most disquieting apprehensions. He saw all Europe in danger of being overrun by an ambitious prince, to whose power there now remained no counterpoise; and, though he himself might at first be admitted, in quality of an ally, to some share in the spoils of the captive monarch, it was easy to discern that with regard to the manner of making the partition, as well as his security for keeping possession of what should be allotted him, he must absolutely depend upon the will of a confederate, to whose forces his own bore no proportion. He was sensible that if Charles were permitted to add any considerable part of France to the vast dominions of which he was already master, his neighbourhood would be much more formidable to England than that of the ancient French kings; while at the same time the proper balance on the Continent, to which England owed both its safety and importance, would be entirely lost. Concern for the situation of the unhappy monarch co-operated with these political considerations; his gallant behaviour in the battle of Pavia had excited a high degree of admiration, which never fails of augmenting sympathy; and Henry, naturally susceptible of generous sentiments, was fond of appearing as the deliverer of a vanquished enemy from a state of captivity. The passions of the English minister seconded the inclinations of the monarch. Wolsey, who had not forgotten the disappointment of his hopes in two successive conclaves, which he imputed chiefly to the emperor, thought this a proper opportunity of taking revenge; and Louise courting the friendship of England with such flattering submissions as were no less agreeable to the king than to the cardinal, Henry gave her secret assurances that he would not lend his aid towards oppressing France in its present helpless state, and obliged her to promise that she would not consent to dismember the kingdom, even in order to procure her son's liberty.[18]

But, as Henry's connections with the emperor made it necessary to act in

[18] Mém. de Bellay, 94.—Guic., lib. xvi. 318.—Herbert.

such a manner as to save appearances, he ordered public rejoicings to be made in his dominions for the success of the imperial arms; and, as if he had been eager to seize the present opportunity of ruining the French monarchy, he sent ambassadors to Madrid to congratulate with Charles upon his victory, to put him in mind that he, as his ally, engaged in one common cause, was entitled to partake in the fruits of it, and to require that, in compliance with the terms of their confederacy, he would invade Guienne with a powerful army, in order to give him possession of that province. At the same time, he offered to send the princess Mary into Spain or the Low Countries, that she might be educated under the emperor's direction until the conclusion of the marriage agreed on between them; and in return for that mark of his confidence he insisted that Francis should be delivered to him, in consequence of that article in the treaty of Bruges whereby each of the contracting parties was bound to surrender all usurpers to him whose rights they had invaded. It was impossible that Henry could expect that the emperor would listen to these extravagant demands, which it was neither his interest nor in his power to grant. They appear evidently to have been made with no other intention than to furnish him with a decent pretext for entering into such engagements with France as the juncture required.[19]

It was among the Italian states, however, that the victory at Pavia occasioned the greatest alarm and terror. That balance of power on which they relied for their security, and which it had been the constant object of all their negotiations and refinements to maintain, was destroyed in a moment. They were exposed, by their situation, to feel the first effects of that uncontrolled authority which Charles had acquired. They observed many symptoms of a boundless ambition in that young prince, and were sensible that, as emperor, or king of Naples, he might not only form dangerous pretensions upon each of their territories, but might invade them with great advantage. They deliberated, therefore, with much solicitude concerning the means of raising such a force as might obstruct his progress;[20] but their consultations, conducted with little union and executed with less vigour, had no effect. Clement, instead of pursuing the measures which he had concerted with the Venetians for securing the liberty of Italy, was so intimidated by Lannoy's threats, or overcome by his promises, that he entered into a separate treaty, binding himself to advance a considerable sum to the emperor, in return for certain emoluments which he was to receive from him. The money was instantly paid; but Charles afterwards refused to ratify the treaty, and the pope remained exposed at once to infamy and to ridicule: to the former, because he had deserted the public cause for his private interest; to the latter, because he had been a loser by that unworthy action.[21]

How dishonourable soever the artifice might be which was employed in order to defraud the pope of this sum, it came very seasonably into the viceroy's hands, and put it in his power to extricate himself out of an imminent danger. Soon after the defeat of the French army, the German troops, which had defended Pavia with such meritorious courage and perseverance, growing insolent upon the fame that they had acquired, and impatient of relying any longer on fruitless promises, with which they had been so often amused, rendered themselves masters of the town, with a resolution to keep possession of it as a security for the payment of their arrears; and the rest of the army discovered a much stronger inclination to assist them to punish the mutineers.

[19] Herbert, p. 64.

[20] Guic., lib. xvi. 300.—Ruscelli, Lettere de' Princ., ii. 74, 76, etc.—Thuani Hist., lib. i. c. 11.

[21] Guic., lib. xvi. 305.—Mauroceni Histor. Venet., ap. Istorici delle Cose Venez., v. 131. 136.

By dividing among them the money exacted from the pope, Lannoy quieted the tumultuous Germans; but, though this satisfied their present demands, he had so little prospect of being able to pay them or his other forces regularly for the future, and was under such continual apprehensions of their seizing the person of the captive king, that not long after he was obliged to dismiss all the Germans and Italians in the imperial service.[22] Thus, from a circumstance that now appears very singular, but arising naturally from the constitution of most European governments in the sixteenth century, while Charles was suspected by all his neighbours of aiming at universal monarchy, and while he was really forming vast projects of this kind, his revenues were so limited that he could not keep on foot his victorious army, though it did not exceed twenty-four thousand men.

During these transactions, Charles, whose pretensions to moderation and disinterestedness were soon forgotten, deliberated with the utmost solicitude how he might derive the greatest advantages from the misfortunes of his adversary. Some of his councillors advised him to treat Francis with the magnanimity that became a victorious prince, and, instead of taking advantage of his situation to impose rigorous conditions, to dismiss him on such equal terms as would bind him for ever to his interest by the ties of gratitude and affection, more forcible as well as more permanent than any which could be formed by extorted oaths and involuntary stipulations. Such an exertion of generosity is not, perhaps, to be expected in the conduct of political affairs, and it was far too refined for that prince to whom it was proposed. The more obvious but less splendid scheme, of endeavouring to make the utmost of Francis's calamity, had a greater number in the council to recommend it, and suited better with the emperor's genius. But, though Charles adopted this plan, he seems not to have executed it in the most proper manner. Instead of making one great effort to penetrate into France with all the forces of Spain and the Low Countries, instead of crushing the Italian states before they recovered from the consternation which the success of his arms had occasioned, he had recourse to the artifices of intrigue and negotiation. This proceeded partly from necessity, partly from the natural disposition of his mind. The situation of his finances at that time rendered it extremely difficult to carry on any extraordinary armament; and he himself, having never appeared at the head of his armies, the command of which he had hitherto committed to his generals, was averse to bold and martial councils, and trusted more to the arts with which he was acquainted. He laid, besides, too much stress upon the victory of Pavia, as if by that event the strength of France had been annihilated, its resources exhausted, and the kingdom itself, no less than the person of its monarch, had been subjected to his power.

Full of this opinion, he determined to set the highest price upon Francis's freedom, and, having ordered the Count de Rœux to visit the captive king in his name, he instructed him to propose the following articles as the conditions on which he would grant him his liberty: that he should restore Burgundy to the emperor, from whose ancestors it had been unjustly wrested; that he should surrender Provence and Dauphiné, that they might be erected into an independent kingdom for the Constable Bourbon; that he should make full satisfaction to the king of England for all his claims, and finally renounce the pretensions of France to Naples, Milan, or any other territory in Italy. When Francis, who had hitherto flattered himself that he should be treated by the emperor with the generosity becoming one great prince towards another, heard these rigorous conditions, he was so transported with indignation that, drawing

[22] Guic., lib. xvi. p. 302.

his dagger hastily, he cried out, "'Twere better that a king should die thus." Alarcon, alarmed at his vehemence, laid hold on his hand; but, though he soon recovered greater composure, he still declared, in the most solemn manner, that he would rather remain a prisoner during life than purchase liberty by such ignominious concessions.[23]

This mortifying discovery of the emperor's intentions greatly augmented Francis's chagrin and impatience under his confinement, and must have driven him to absolute despair, if he had not laid hold of the only thing which could still administer any comfort to him. He persuaded himself that the conditions which Rœux had proposed did not flow originally from Charles himself, but were dictated by the rigorous policy of his Spanish council, and that therefore he might hope in one personal interview with him to do more towards hastening his own deliverance than could be effected by long negotiations passing through the subordinate hands of his ministers. Relying on this supposition, which proceeded from too favourable an opinion of the emperor's character, he offered to visit him in Spain, and was willing to be carried thither as a spectacle to that haughty nation. Lannoy employed all his address to confirm him in these sentiments, and concerted with him in secret the manner of executing this resolution. Francis was so eager on a scheme which seemed to open some prospect of liberty, that he furnished the galleys necessary for conveying him to Spain, Charles being at this time unable to fit out a squadron for that purpose. The viceroy, without communicating his intentions either to Bourbon or Pescara, conducted his prisoner towards Genoa, under pretence of transporting him by sea to Naples; though soon after they set sail he ordered the pilots to steer directly for Spain; but, the wind happening to carry them near the French coast, the unfortunate monarch had a full prospect of his own dominions, towards which he cast many a sorrowful and desiring look. They landed, however, in a few days at Barcelona, and soon after Francis was lodged, by the emperor's command, in the alcazar of Madrid, under the care of the vigilant Alarcon, who guarded him with as much circumspection as ever.[24]

A few days after Francis's arrival at Madrid, and when he began to be sensible of his having relied without foundation on the emperor's generosity, Henry VIII. concluded a treaty with the regent of France, which afforded him some hope of liberty from another quarter. Henry's extravagant demands had been received at Madrid with that neglect which they deserved and which he probably expected. Charles, intoxicated with prosperity, no longer courted him in that respectful and submissive manner which pleased his haughty temper. Wolsey, no less haughty than his master, was highly irritated at the emperor's discontinuing his wonted caresses and professions of friendship to himself. These slight offences, added to the weighty considerations formerly mentioned, induced Henry to enter into a defensive alliance with Louise, in which all the differences between him and her son were adjusted; at the same time he engaged that he would employ his best offices in order to procure the deliverance of his new ally from a state of captivity.[25]

While the open defection of such a powerful confederate affected Charles with deep concern, a secret conspiracy was carrying on in Italy, which threatened him with consequences still more fatal. The restless and intriguing genius of Morone, chancellor of Milan, gave rise to this. His revenge had been amply gratified by the expulsion of the French out of Italy, and his

[23] Mém. de Bellay, 94.—Ferreras, Hist., ix. 43.

[24] Mém. de Bellay, 95.—P. Martyr. Ep., ult. —Guic., lib. xvi. 323.

[25] Herbert.—Fiddes's Life of Wolsey, 337.

vanity no less soothed by the re-establishment of Sforza, to whose interest he had attached himself, in the duchy of Milan. The delays, however, and evasions of the imperial court in granting Sforza the investiture of his new-acquired territories had long alarmed Morone; these were repeated so often, and with such apparent artifice, as became a full proof to his suspicious mind that the emperor intended to strip his master of that rich country which he had conquered in his name. Though Charles, in order to quiet the pope and Venetians, no less jealous of his designs than Morone, gave Sforza at last the investiture which had been so long desired, the charter was clogged with so many reservations and subjected him to such grievous burdens as rendered the duke of Milan a dependant on the emperor, rather than a vassal of the empire, and afforded him hardly any other security for his possessions than the good pleasure of an ambitious superior. Such an accession of power as would have accrued from the addition of the Milanese to the kingdom of Naples was considered by Morone as fatal to the liberties of Italy, no less than to his own importance. Full of this idea, he began to revolve in his mind the possibility of rescuing Italy from the yoke of foreigners,—the darling scheme, as has been already observed, of the Italian politicians in that age, and which it was the great object of their ambition to accomplish. If to the glory of having been the chief instrument of driving the French out of Milan he could add that of delivering Naples from the dominion of the Spaniards, he thought that nothing would be wanting to complete his fame. His fertile genius soon suggested to him a project for that purpose,—a difficult, indeed, and daring one, but for that very reason more agreeable to his bold and enterprising temper.

Bourbon and Pescara were equally enraged at Lannoy's carrying the French king into Spain without their knowledge. The former, being afraid that the two monarchs might, in his absence, conclude some treaty in which his interests would be entirely sacrificed, hastened to Madrid, in order to guard against that danger. The latter, on whom the command of the army now devolved, was obliged to remain in Italy; but in every company he gave vent to his indignation against the viceroy, in expressions full of rancour and contempt; he accused him, in a letter to the emperor, of cowardice in the time of danger, and of insolence after a victory, towards the obtaining of which he had contributed nothing either by his valour or his conduct; nor did he abstain from bitter complaints against the emperor himself, who had not discovered, as he imagined, a sufficient sense of his merit nor bestowed any adequate reward on his services. It was on this disgust of Pescara that Morone founded his whole system. He knew the boundless ambition of his nature, the great extent of his abilities in peace as well as war, and the intrepidity of his mind, capable alike of undertaking and of executing the most desperate designs. The cantonment of the Spanish troops on the frontier of the Milanese gave occasion to many interviews between him and Morone, in which the latter took care frequently to turn the conversation to the transactions subsequent to the battle of Pavia, a subject upon which the marquis always entered willingly and with passion; and Morone, observing his resentment to be uniformly violent, artfully pointed out and aggravated every circumstance that could increase its fury. He painted in the strongest colours the emperor's want of discernment, as well as of gratitude, in preferring Lannoy to him, and in allowing that presumptuous Fleming to dispose of the captive king without consulting the man to whose bravery and wisdom Charles was indebted for the glory of having a formidable rival in his power. Having warmed him by such discourses, he then began to insinuate that now was the time to be avenged

for these insults, and to acquire immortal renown as the deliverer of his country from the oppression of strangers; that the states of Italy, weary of the ignominious and intolerable dominion of barbarians, were at last ready to combine in order to vindicate their own independence; that their eyes were fixed on him as the only leader whose genius and good fortune could insure the happy success of that noble enterprise; that the attempt was no less practicable than glorious, it being in his power so to disperse the Spanish infantry, the only body of the emperor's troops that remained in Italy, through the villages of the Milanese that in one night they might be destroyed by the people, who, having suffered much from their exactions and insolence, would gladly undertake this service; that he might then without opposition take possession of the throne of Naples, the station destined for him, and a reward not unworthy the restorer of liberty to Italy; that the pope, of whom that kingdom was held, and whose predecessors had disposed of it on many former occasions, would willingly grant him the right of investiture; that the Venetians, the Florentines, the duke of Milan, to whom he had communicated the scheme, together with the French, would be the guarantees of his right; that the Neapolitans would naturally prefer the government of one of their countrymen, whom they loved and admired, to that odious dominion of strangers, to which they had been so long subjected; and that the emperor, astonished at a blow so unexpected, would find that he had neither troops nor money to resist such a powerful confederacy.[26]

Pescara, amazed at the boldness and extent of the scheme, listened attentively to Morone, but with the countenance of a man lost in profound and anxious thought. On the one hand, the infamy of betraying his sovereign, under whom he bore such high command, deterred him from the attempt; on the other, the prospect of obtaining a crown allured him to venture upon it. After continuing a short space in suspense, the least commendable motives, as is usual after such deliberations, prevailed, and ambition triumphed over honour. In order, however, to throw a colour of decency on his conduct, he insisted that some learned casuists should give their opinion, "Whether it was lawful for a subject to take arms against his immediate sovereign, in obedience to the lord paramount of whom the kingdom itself was held?" Such a resolution of the case as he expected was soon obtained from the divines and civilians both of Rome and Milan: the negotiation went forward; and measures seemed to be taken with great spirit for the speedy execution of the design.

During this interval, Pescara, either shocked at the treachery of the action that he was going to commit, or despairing of its success, began to entertain thoughts of abandoning the engagements which he had come under. The indisposition of Sforza, who happened at that time to be taken ill of a distemper which was thought mortal, confirmed his resolution, and determined him to make known the whole conspiracy to the emperor, deeming it more prudent to expect the duchy of Milan from him as the reward of this discovery than to aim at a kingdom to be purchased by a series of crimes. This resolution, however, proved the source of actions hardly less criminal and ignominious. The emperor, who had already received full information concerning the conspiracy from other hands, seemed to be highly pleased with Pescara's fidelity, and commanded him to continue his intrigues for some time with the pope and Sforza, both that he might discover their intentions more fully and that he might be able to convict them of the crime with greater certainty. Pescara,

[26] Guic., lib. xvi. 325.—Jovii Vita Davali, p. 417.—Œuv. de Brantôme, iv. 171.—Ruscelli, Lettere de' Princ., ii. 91.—Thuani Hist., lib. i. c. 11.—P. Heuter., Rer. Austr., lib. ix. c. 3, p. 207.

conscious of guilt, as well as sensible how suspicious his long silence must have appeared at Madrid, durst not decline that dishonourable office, and was obliged to act the meanest and most disgraceful of all parts, that of seducing with a purpose to betray. Considering the abilities of the persons with whom he had to deal, the part was scarcely less difficult than base; but he acted it with such address as to deceive even the penetrating eye of Morone, who, relying with full confidence on his sincerity, visited him at Novara in order to put the last hand to their machinations. Pescara received him in an apartment where Antonio de Leyva was placed behind the tapestry, that he might overhear and bear witness to their conversation. As Morone was about to take leave, that officer suddenly appeared, and to his astonishment arrested him prisoner in the emperor's name. He was conducted to the castle of Pavia; and Pescara, who had so lately been his accomplice, had now the assurance to interrogate him as his judge. At the same time, the emperor declared Sforza to have forfeited all right to the duchy of Milan by his engaging in a conspiracy against the sovereign of whom he held; Pescara, by his command, seized on every place in the Milanese, except the castles of Cremona and Milan, which, the unfortunate duke attempting to defend, were closely blockaded by the imperial troops.[27]

But though this unsuccessful conspiracy, instead of stripping the emperor of what he already possessed in Italy, contributed to extend his dominions in that country, it showed him the necessity of coming to some agreement with the French king, unless he chose to draw on himself a confederacy of all Europe, which the progress of his arms and his ambition, now as undisguised as it was boundless, filled with general alarm. He had not hitherto treated Francis with the generosity which that monarch expected, and hardly with the decency due to his station. Instead of displaying the sentiments becoming a great prince, Charles, by his mode of treating Francis, seems to have acted with the mercenary heart of a corsair, who by the rigorous usage of his prisoners endeavours to draw from them a higher price for their ransom. The captive king was confined to an old castle, under a keeper whose formal austerity of manners rendered his vigilance still more disgusting. He was allowed no exercise but that of riding on a mule, surrounded with armed guards on horseback. Charles, on pretence of its being necessary to attend the cortes assembled in Toledo, had gone to reside in that city, and suffered several weeks to elapse without visiting Francis, though he solicited an interview with the most pressing and submissive importunity. So many indignities made a deep impression on a high-spirited prince; he began to lose all relish for his usual amusements; his natural gayety of temper forsook him; and, after languishing for some time, he was seized with a dangerous fever, during the violence of which he complained constantly of the unexpected and unprincely rigour with which he had been treated, often exclaiming that now the emperor would have the satisfaction of his dying a prisoner in his hands, without having once deigned to see his face. The physicians at last despaired of his life, and informed the emperor that they saw no hope of his recovery unless he were gratified with regard to that point on which he seemed to be so strongly bent. Charles, solicitous to preserve a life with which all his prospects of further advantage from the victory of Pavia must have terminated, immediately consulted his ministers concerning the course to be taken. In vain did the Chancellor Gattinara, the most able among them, represent to him the indecency of his visiting Francis if he did not intend to set him at liberty immediately upon equal terms; in vain did he point out the infamy to

[27] Guic., lib. xvi. 329.—Jovii Hist., 319.—Capella, lib. v. p. 200.

which he would be exposed if avarice or ambition should prevail on him to give the captive monarch this mark of attention and sympathy, for which humanity and generosity had pleaded so long without effect. The emperor, less delicate or less solicitous about reputation than his minister, set out for Madrid to visit his prisoner. The interview was short; Francis being too weak to bear a long conversation, Charles accosted him in terms full of affection and respect, and gave him such promises of speedy deliverance and princely treatment as would have reflected the greatest honour upon him if they had flowed from another source. Francis grasped at them with the eagerness natural in his situation, and, cheered with this gleam of hope, began to revive from that moment, recovering rapidly his wonted health.[28]

He had soon the mortification to find that his confidence in the emperor was not better founded than formerly. Charles returned instantly to Toledo; all negotiations were carried on by his ministers; and Francis was kept in as strict custody as ever. A new indignity, and that very galling, was added to all those he had already suffered. Bourbon arrived in Spain about this time. Charles, who had so long refused to visit the king of France, received his rebellious subject with the most studied respect. He met him without the gates of Toledo, embracing him with the greatest affection, and, placing him on his left hand, conducted him to his apartment. These marks of honour to him were so many insults to the unfortunate monarch, which he felt in a very sensible manner. It afforded him some consolation, however, to observe that the sentiments of the Spaniards differed widely from those of their sovereign. That generous people detested Bourbon's crime. Notwithstanding his great talents and important services, they shunned all intercourse with him to such a degree that, Charles having desired the marquis de Villena to permit Bourbon to reside in his palace while the court remained in Toledo, he politely replied, "That he could not refuse gratifying his sovereign in that request," but added, with a Castilian dignity of mind, that the emperor must not be surprised if, the moment the constable departed, he should burn to the ground a house which, having been polluted by the presence of a traitor, became an unfit habitation for a man of honour.[29]

Charles himself, nevertheless, seemed to have it much at heart to reward Bourbon's services in a signal manner. But as he insisted, in the first place, on the accomplishment of the emperor's promise of giving him in marriage his sister Eleanora, queen-dowager of Portugal, the honour of which alliance had been one of his chief inducements to rebel against his lawful sovereign, as Francis, in order to prevent such a dangerous union, had offered before he left Italy to marry that princess, and as Eleanora herself discovered an inclination rather to match with a powerful monarch than with his exiled subject, all these interfering circumstances created great embarrassment to Charles and left him hardly any hope of extricating himself with decency. But the death of Pescara, who, at the age of thirty-six, left behind him the reputation of being one of the greatest generals and ablest politicians of that century, happened opportunely at this juncture for his relief. By that event the command of the army in Italy became vacant, and Charles, always fertile in resources, persuaded Bourbon, who was in no condition to dispute his will, to accept the office of general-in-chief there, together with a grant of the duchy of Milan forfeited by Sforza, and in return for these to relinquish all hopes of marrying the queen of Portugal.[30]

[28] Guic., lib. xvi. 339.—Sandoval, Hist., i. 665.

[29] Guic., lib. xvi. 335.

[30] Sandoval, Hist., i. 676.—Œuv. de Brant., iv. 349.

The chief obstacle that stood in the way of Francis's liberty was the emperor's continuing to insist so peremptorily on the restitution of Burgundy as a preliminary to that event. Francis often declared that he would never consent to dismember his kingdom, and that, even if he should so far forget the duties of a monarch as to come to such a resolution, the fundamental laws of the nation would prevent its taking effect. On his part, he was willing to make an absolute cession to the emperor of all his pretensions in Italy and the Low Countries; he promised to restore to Bourbon all his lands which had been confiscated; he renewed his proposal of marrying the emperor's sister, the queen-dowager of Portugal, and engaged to pay a great sum by way of ransom for his own person. But all mutual esteem and confidence between the two monarchs were now entirely lost: there appeared on the one hand a rapacious ambition, labouring to avail itself of every favourable circumstance; on the other, suspicion and resentment standing perpetually on their guard; so that the prospect of bringing their negotiations to an issue seemed to be far distant. The duchess of Alençon, the French king's sister, whom Charles permitted to visit her brother in his confinement, employed all her address in order to procure his liberty on more reasonable terms. Henry of England interposed his good offices to the same purpose, but both with so little success that Francis, in despair, took suddenly the resolution of resigning his crown, with all its rights and prerogatives, to his son, the dauphin, determining rather to end his days in prison than to purchase his freedom by concessions unworthy of a king. The deed for this purpose he signed with legal formality in Madrid, empowering his sister to carry it into France, that it might be registered in all the parliaments of the kingdom; and at the same time intimating his intention to the emperor, he desired him to name the place of his confinement, and to assign him a proper number of attendants during the remainder of his days.[31]

This resolution of the French king had great effect: Charles began to be sensible that by pushing rigour to excess he might defeat his own measures, and, instead of the vast advantages which he hoped to draw from ransoming a powerful monarch, he might at last find in his hands a prince without dominions or revenues. About the same time, one of the king of Navarre's domestics happened, by an extraordinary exertion of fidelity, courage, and address, to procure his master an opportunity of escaping from the prison in which he had been confined ever since the battle of Pavia. This convinced the emperor that the most vigilant attention of his officers might be eluded by the ingenuity or boldness of Francis or his attendants, and one unlucky hour might deprive him of all the advantages which he had been so solicitous to obtain. By these considerations he was induced to abate somewhat of his former demands. On the other hand, Francis's impatience under confinement daily increased; and, having received certain intelligence of a powerful league forming against his rival in Italy, he grew more compliant with regard to his concessions, trusting that if he could once obtain his liberty he would soon be in a condition to resume whatever he had yielded.

Such being the views and sentiments of the two monarchs, the treaty which procured Francis his liberty was signed at Madrid on the 14th of January, 1526. The article with regard to Burgundy, which had hitherto created the greatest difficulty, was compromised, Francis engaging to restore that duchy with all its dependencies in full sovereignty to the emperor, and Charles consenting that this restitution should not be made until the king was set at liberty. In order to secure the performance of this as well as the other con-

[31] This paper is published in Mémoires historiques, etc., par M. l'Abbé Raynal, tom. ii., p. 151.

ditions in the treaty, Francis agreed that at the same instant when he himself should be released he would deliver as hostages to the emperor his eldest son, the dauphin, and his second son, the duke of Orleans, or, in lieu of the latter, twelve of his principal nobility, to be named by Charles. The other articles swelled to a great number, and, though not of such importance, were extremely rigorous. Among these the most remarkable were, that Francis should renounce all his pretensions in Italy; that he should disclaim any title which he had to the sovereignty of Flanders and Artois; that within six weeks after his release he should restore to Bourbon and his adherents all their goods, movable and immovable, and make them full reparation for the damages which they had sustained by the confiscation of them; that he should use his interest with Henry d'Albret to relinquish his pretensions to the crown of Navarre, and should not for the future assist him in any attempt to recover it; that there should be established between the emperor and Francis a league of perpetual friendship and confederacy, with a promise of mutual assistance in every case of necessity; that, in corroboration of this union, Francis should marry the emperor's sister, the queen-dowager of Portugal; that Francis should cause all the articles of this treaty to be ratified by the states and registered in the parliaments of his kingdom; that upon the emperor's receiving this ratification the hostages should be set at liberty, but in their place the duke of Angoulême, the king's third son, should be delivered to Charles; that, in order to manifest as well as to strengthen the amity between the two monarchs, he might be educated at the imperial court; and that if Francis did not, within the time limited, fulfil the stipulations in the treaty, he should promise, upon his honour and oath, to return to Spain and to surrender himself again a prisoner to the emperor.[32]

By this treaty, Charles flattered himself that he had not only effectually humbled his rival, but that he had taken such precautions as would for ever prevent his re-attaining any formidable degree of power. The opinion which the wisest politicians formed concerning it was very different; they could not persuade themselves that Francis, after obtaining his liberty, would execute articles against which he had struggled so long, and to which, notwithstanding all that he felt during a long and rigorous confinement, he had consented with the utmost reluctance. Ambition and resentment, they knew, would conspire in prompting him to violate the hard conditions to which he had been constrained to submit; nor would arguments and casuistry be wanting to represent that which was so manifestly advantageous to be necessary and just. If one part of Francis's conduct had been known at that time, this opinion might have been founded, not in conjecture, but in certainty. A few hours before he signed the treaty, he assembled such of his counsellors as were then at Madrid, and, having exacted from them a solemn oath of secrecy, he made a long enumeration in their presence of the dishonourable arts as well as unprincely rigour which the emperor had employed in order to ensnare or intimidate him. For that reason, he took a formal protest in the hands of notaries that his consent to the treaty should be considered as an involuntary deed and be deemed null and void.[33] By this disingenuous artifice, for which even the treatment that he had met with was no apology, Francis endeavoured to satisfy his honour and conscience in signing the treaty, and to provide at the same time a pretext on which to break it.

Great, meanwhile, were the outward demonstrations of love and confidence between the two monarchs; they appeared often together in public; they

[32] Recueil des Trait., tom. ii. p. 112.—Ulloa, Vita di Carlo V., p. 102, etc.
[33] Recueil des Trait., tom. ii. p. 107.

frequently had long conferences in private; they travelled in the same litter and joined in the same amusements. But, amidst these signs of peace and friendship, the emperor still harboured suspicion in his mind. Though the ceremonies of the marriage between Francis and the queen of Portugal were performed soon after the conclusion of the treaty, Charles would not permit him to consummate it until the return of the ratification from France. Even then Francis was not allowed to be at full liberty; his guards were still continued; though caressed as a brother-in-law, he was still watched like a prisoner; and it was obvious to attentive observers that an union in the very beginning of which there might be discerned such symptoms of jealousy and distrust could not be cordial or of long continuance.[34]

About a month after the signing of the treaty, the regent's ratification of it was brought from France; and that wise princess, preferring on this occasion the public good to domestic affection, informed her son that, instead of the twelve noblemen named in the treaty, she had sent the duke of Orleans along with his brother the dauphin to the frontier, as the kingdom could suffer nothing by the absence of a child, but must be left almost incapable of defence if deprived of its ablest statesmen and most experienced generals, whom Charles had artfully included in his nomination. At last Francis took leave of the emperor, whose suspicion of the king's sincerity increasing as the time of putting it to the proof approached, he endeavoured to bind him still faster by exacting new promises, which, after those he had already made, the French monarch was not slow to grant. He set out from Madrid, a place which the remembrance of many afflicting circumstances rendered peculiarly odious to him, with the joy natural on such an occasion, and began the long-wished-for journey towards his own dominions. He was escorted by a body of horse under the command of Alarcon, who, as the king drew near the frontiers of France, guarded him with more scrupulous exactness than ever. When he arrived at the river Andaye, which separates the two kingdoms, Lautrec appeared on the opposite bank with a guard of horse equal in number to Alarcon's. An empty bark was moored in the middle of the stream; the attendants drew up in order on the opposite banks; at the same instant, Lannoy, with eight gentlemen, put off from the Spanish, and Lautrec with the same number from the French side of the river; the former had the king in his boat, the latter the dauphin and the duke of Orleans; they met in the empty vessel; the exchange was made in a moment; Francis, after a short embrace of his children, leaped into Lautrec's boat, and reached the French shore. He mounted at that instant a Turkish horse, waved his hand over his head, and, with a joyful voice crying aloud several times, "I am yet a king!" galloped full speed to St. John de Luz, and from thence to Bayonne. This event, no less impatiently desired by the French nation than by their monarch, happened on the 18th of March, a year and twenty-two days after the fatal battle of Pavia.[35]

Soon after the emperor had taken leave of Francis and permitted him to begin his journey towards his own dominions, he set out for Seville, in order to solemnize his marriage with Isabella, the daughter of Emanuel, the late king of Portugal, and the sister of John III., who had succeeded him in the throne of that kingdom. Isabella was a princess of uncommon beauty and accomplishments; and as the cortes, both in Castile and Aragon, had warmly solicited their sovereign to marry, the choice of a wife so nearly allied to the royal blood of both kingdoms was extremely acceptable to his subjects. The Portuguese, fond of this new connection with the first monarch in Christendom,

[34] Guic., lib. xvi. 353. [35] Sandoval, Hist., i. 735.—Guic., lib. xvi. 355.

granted him an extraordinary dowry with Isabella, amounting to nine hundred thousand crowns, a sum which, from the situation of his affairs at that juncture, was of no small consequence to the emperor. The marriage was celebrated with that splendour and gayety which became a great and youthful prince. Charles lived with Isabella in perfect harmony, and treated her on all occasions with much distinction and regard.[36]

During these transactions, Charles could hardly give any attention to the affairs of Germany, though it was torn in pieces by commotions which threatened the most dangerous consequences. By the feudal institutions, which still subsisted almost unimpaired in the empire, the property of lands was vested in the princes and free barons. Their vassals held of them by the strictest and most limited tenures; while the great body of the people was kept in a state but little removed from absolute servitude. In some places of Germany, people of the lowest class were so entirely in the power of their masters as to be subject to personal and domestic slavery, the most rigorous form of that wretched state. In other provinces, particularly in Bohemia and Lusatia, the peasants were bound to remain on the lands to which they belonged, and, making part of the estate, were transferred, like any other property, from one hand to another. Even in Suabia and the countries on the banks of the Rhine, where their condition was most tolerable, the peasants not only paid the full rent of their farms to the landlord, but, if they chose either to change the place of their abode or to follow a new profession, before they could accomplish what they desired they were obliged to purchase this privilege at a certain price. Besides this, all grants of lands to peasants expired at their death, without descending to their posterity. Upon that event the landlord had a right to the best of their cattle, as well as of their furniture; and their heirs, in order to obtain a renewal of the grant, were obliged to pay large sums by way of fine. These exactions, though grievous, were borne with patience, because they were customary and ancient; but when the progress of elegance and luxury, as well as the changes introduced into the art of war, came to increase the expense of government, and made it necessary for princes to levy occasional or stated taxes on their subjects, such impositions, being new, appeared intolerable; and in Germany these duties, being laid chiefly upon beer, wine, and other necessaries of life, affected the common people in the most sensible manner. The addition of such a load to their former burdens drove them to despair. It was to the valour inspired by resentment against impositions of this kind that the Swiss owed the acquisition of their liberty in the fourteenth century. The same cause had excited the peasants in several other provinces of Germany to rebel against their superiors towards the end of the fifteenth and beginning of the sixteenth centuries; and, though these insurrections were not attended with like success, they could not, however, be quelled without much difficulty and bloodshed.[37]

By these checks the spirit of the peasants was overawed rather than subdued; and, their grievances multiplying continually, they ran to arms, in the year 1526, with the most frantic rage. Their first appearance was near Ulm, in Suabia. The peasants in the adjacent country flocked to their standard with the ardour and impatience natural to men who, having groaned long under oppression, beheld at last some prospect of deliverance; and the contagion, spreading from province to province, reached almost every part of Germany. Wherever they came, they plundered the monasteries, wasted the lands of their superiors, razed their castles, and massacred without mercy all

[36] Ulloa, Vita di Carlo V., p. 106.—Belcarius, Com. Rer. Gallic., p. 565.—Spalatinus, ap. Struv., Corp. Hist. Germ., ii. 1081.

[37] Seckend., lib. ii. pp. 2, 6

persons of noble birth who were so unhappy as to fall into their hands.[38] Having intimidated their oppressors, as they imagined, by the violence of these proceedings, they began to consider what would be the most proper and effectual method of securing themselves for the future from their tyrannical exactions. With this view, they drew up and published a memorial containing all their demands, and declared that, while arms were in their hands, they would either persuade or oblige the nobles to give them full satisfaction with regard to these. The chief articles were, that they might have liberty to choose their own pastors; that they might be freed from the payment of all tithes except those of corn; that they might no longer be considered as the slaves or bondmen of their superiors; that the liberty of hunting and fishing might be common; that the great forests might not be regarded as private property, but be open for the use of all; that they might be delivered from the unusual burden of taxes under which they laboured; that the administration of justice might be rendered less rigorous and more impartial; that the encroachments of the nobles upon meadows and commons might be restrained.[39]

Many of these demands were extremely reasonable, and, being urged by such formidable numbers, should have met with some redress. But those unwieldy bodies, assembled in different places, had neither union, nor conduct, nor vigour. Being led by persons of the lowest rank, without skill in war or knowledge of what was necessary for accomplishing their designs, all their exploits were distinguished only by a brutal and unmeaning fury. To oppose this, the princes and nobles of Suabia and the Lower Rhine raised such of their vassals as still continued faithful, and, attacking some of the mutineers with open force and others by surprise, cut to pieces or dispersed all who infested those provinces; so that the peasants, after ruining the open country, and losing upwards of twenty thousand of their associates in the field, were obliged to return to their habitations with less hope than ever of relief from their grievances.[40]

These commotions happened at first in provinces of Germany where Luther's opinions had made little progress, and, being excited wholly by political causes, had no connection with the disputed points in religion. But the frenzy, reaching at last those countries in which the Reformation was established, derived new strength from circumstances peculiar to them, and rose to a still greater pitch of extravagance. The Reformation, wherever it was received, increased that bold and innovating spirit to which it owed its birth. Men who had the courage to overturn a system supported by everything which can command respect or reverence were not to be overawed by any authority, how great or venerable soever. After having been accustomed to consider themselves as judges of the most important doctrines in religion, to examine these freely, and to reject without scruple what appeared to them erroneous, it was natural for them to turn the same daring and inquisitive eye towards government, and to think of rectifying whatever disorders or imperfections were discovered there. As religious abuses had been reformed in several places without the permission of the magistrate, it was an easy transition to attempt the redress of political grievances in the same manner.

No sooner, then, did the spirit of revolt break out in Thuringia, a province subject to the elector of Saxony, the inhabitants of which were mostly converts to Lutheranism, than it assumed a new and more dangerous form.

[38] Petr. Crinitus de Bello Rusticano, ap. Freher. Script. Rer. Germ., Argent., 1717, vol. iii. p. 243.

[39] Sleid., Hist., p. 90.

[40] Seckend., lib. ii. p. 10.—Petr. Gnodalius de Rusticanorum Tumultu in Germania, ap. Scard. Script., vol. ii. p. 131, etc.

Thomas Muncer, one of Luther's disciples, having established himself in that country, had acquired a wonderful ascendant over the minds of the people. He propagated among them the wildest and most enthusiastic notions, but such as tended manifestly to inspire them with boldness and lead them to sedition. "Luther," he told them, "had done more hurt than service to religion. He had, indeed, rescued the Church from the yoke of popery, but his doctrines encouraged and his life set an example of the utmost licentiousness of manners. In order to avoid vice," says he, "men must practise perpetual mortification. They must put on a grave countenance, speak little, wear a plain garb, and be serious in their whole deportment. Such as prepare their hearts in this manner may expect that the Supreme Being will direct all their steps, and by some visible sign discover his will to them; if that illumination be at any time withheld, we may expostulate with the Almighty, who deals with us so harshly, and remind him of his promises. This expostulation and anger will be highly acceptable to God, and will at last prevail on him to guide us with the same unerring hand which conducted the patriarchs of old. Let us beware, however, of offending him by our arrogance; but, as all men are equal in his eye, let them return to that condition of equality in which he formed them, and, having all things in common, let them live together like brethren, without any marks of subordination or pre-eminence."[41]

Extravagant as these tenets were, they flattered so many passions in the human heart as to make a deep impression. To aim at nothing more than abridging the power of the nobility was now considered as a trifling and partial reformation, not worth the contending for; it was proposed to level every distinction among mankind, and, by abolishing property, to reduce them to their natural state of equality, in which all should receive their subsistence from one common stock. Muncer assured them that the design was approved of by Heaven, and that the Almighty had in a dream ascertained him of its success. The peasants set about the execution of it, not only with the rage which animated those of their order in other parts of Germany, but with the ardour which enthusiasm inspires. They deposed the magistrates in all the cities of which they were masters; seized the lands of the nobles, and obliged such of them as they got into their hands to put on the dress commonly worn by peasants, and, instead of their former titles, to be satisfied with the appellation given to people in the lowest class of life. Great numbers engaged in this wild undertaking; but Muncer, their leader and their prophet, was destitute of the abilities necessary for conducting it. He had all the extravagance, but not the courage, which enthusiasts usually possess. It was with difficulty he could be persuaded to take the field; and, though he soon drew together eight thousand men, he suffered himself to be surrounded by a body of cavalry under the command of the elector of Saxony, the landgrave of Hesse, and the duke of Brunswick. These princes, unwilling to shed the blood of their deluded subjects, sent a young nobleman to their camp, with the offer of a general pardon if they would immediately lay down their arms and deliver up the authors of the sedition. Muncer, alarmed at this, began to harangue his followers with his usual vehemence, exhorting them not to trust these deceitful promises of their oppressors, nor to desert the cause of God and of Christian liberty.

But, the sense of present danger making a deeper impression on the peasants than his eloquence, confusion and terror were visible on every face, when a rainbow, which was the emblem that the mutineers had painted on their colours, happening to appear in the clouds, Muncer, with admirable presence

[41] Seckend, lib. ii. p. 13.—Sleid., Hist., p. 83.

of mind, laid hold of that incident, and, suddenly raising his eyes and hands towards heaven, "Behold," cries he, with an elevated voice, "the sign which God has given. There is the pledge of your safety, and a token that the wicked shall be destroyed." The fanatical multitude set up instantly a great shout, as if victory had been certain, and, passing in a moment from one extreme to another, massacred the unfortunate nobleman who had come with the offer of pardon, and demanded to be led towards the enemy. The princes, enraged at this shocking violation of the laws of war, advanced with no less impetuosity, and began the attack. But the behaviour of the peasants in the combat was not such as might have been expected either from their ferocity or confidence of success; an undisciplined rabble was no equal match for well-trained troops; about five thousand were slain in the field, almost without making resistance: the rest fled, and among the foremost Muncer their general. He was taken next day, and, being condemned to such punishment as his crimes had deserved, he suffered them with a poor and dastardly spirit. His death put an end to the insurrections of the peasants, which had filled Germany with such terror;[42] but the enthusiastic notions which he had scattered were not extirpated, and produced, not long after, effects more memorable, as well as more extravagant.

During these commotions, Luther acted with exemplary prudence and moderation; like a common parent, solicitous about the welfare of both parties, without sparing the faults or errors of either. On the one hand, he addressed a monitory discourse to the nobles, exhorting them to treat their dependants with greater humanity and indulgence. On the other, he severely censured the seditious spirit of the peasants, advising them not to murmur at hardships inseparable from their condition, nor to seek for redress by any but legal means.[43]

Luther's famous marriage with Catherine à Boria, a nun of a noble family, who, having thrown off the veil, had fled from the cloister, happened this year, and was far from meeting with the same approbation. Even his most devoted followers thought this step indecent at a time when his country was involved in so many calamities; while his enemies never mentioned it with any softer appellation than that of incestuous or profane. Luther himself was sensible of the impression which it had made to his disadvantage; but, being satisfied with his own conduct, he bore the censure of his friends and the reproaches of his adversaries with his usual fortitude.[44]

This year the Reformation lost its first protector, Frederick, elector of Saxony; but the blow was the less sensibly felt as he was succeeded by his brother John, a more avowed and zealous, though less able, patron of Luther and his doctrines.

Another event happened about the same time, which, as it occasioned a considerable change in the state of Germany, must be traced back to its source. While the frenzy of the crusades possessed all Europe during the twelfth and thirteenth centuries, several orders of religious knighthood were founded in defence of the Christian faith against heathens and infidels. Among these, the Teutonic order in Germany was one of the most illustrious, the knights of which distinguished themselves greatly in all the enterprises carried on in the Holy Land. Being driven at last from their settlements in the East, they were obliged to return to their native country. Their zeal and valour were too impetuous to remain long inactive; they invaded, on very slight pretences, the provinces of Prussia, the inhabitants of which were still

[42] Sleid., Hist., p. 84.—Seckend., lib. ii. p. 12.—Gnodalius, Tumult. Rustican., 155.

[43] Sleid., Hist., p. 87.

[44] Seckend., lib. ii. p. 15.

idolaters, and, having completed the conquest of it about the middle of the thirteenth century, held it many years as a fief depending on the crown of Poland. Fierce contests arose, during this period, between the grand masters of the order and the kings of Poland, the former struggling for independence, while the latter asserted their right of sovereignty with great firmness. Albert, a prince of the house of Brandenberg, who was elected grand master in the year 1511, engaging keenly in this quarrel, maintained a long war with Sigismund, king of Poland; but, having become an early convert to Luther's doctrines, this gradually lessened his zeal for the interests of his fraternity, so that he took the opportunity of the confusions in the empire, and the absence of the emperor, to conclude a treaty with Sigismund, greatly to his own private emolument. By it, that part of Prussia which belonged to the Teutonic order was erected into a secular and hereditary duchy, and the investiture of it granted to Albert, who, in return, bound himself to do homage for it to the kings of Poland as their vassal. Immediately after this he made public profession of the reformed religion and married a princess of Denmark. The Teutonic knights exclaimed so loudly against the treachery of their grand master that he was put under the ban of the empire; but he still kept possession of the province which he had usurped, and transmitted it to his posterity. In process of time this rich inheritance fell to the electoral branch of the family, all dependence on the crown of Poland was shaken off, and the margraves of Brandenburg, having assumed the title of kings of Prussia, have not only risen to an equality with the first princes in Germany, but take their rank among the great monarchs of Europe.[45]

Upon the return of the French king to his dominions, the eyes of all the powers in Europe were fixed upon him, that by observing his first motions they might form a judgment concerning his subsequent conduct. They were not held long in suspense. Francis, as soon as he arrived at Bayonne, wrote to the king of England, thanking him for the zeal and affection wherewith he had interposed in his favour, to which he acknowledged that he owed the recovery of his liberty. Next day the emperor's ambassadors demanded audience, and, in their master's name, required him to issue such orders as were necessary for carrying the treaty of Madrid into immediate and full execution. He coldly answered that, though for his own part he determined religiously to perform all that he had promised, the treaty contained so many articles relative not to himself alone, but affecting the interests of the French monarchy, that he could not take any farther step without consulting the states of his kingdom, and that some time would be necessary in order to reconcile their minds to the hard conditions which he had consented to ratify.[46] This reply was considered as no obscure discovery of his being resolved to elude the treaty; and the compliment paid to Henry appeared a very proper step towards securing the assistance of that monarch in the war with the emperor, to which such a resolution would certainly give rise. These circumstances, added to the explicit declarations which Francis made in secret to the ambassadors from several of the Italian powers, fully satisfied them that their conjectures with regard to his conduct had been just, and that, instead of intending to execute an unreasonable treaty, he was eager to seize the first opportunity of revenging those injuries which had compelled him to feign an approbation of it. Even the doubts and fears and scruples which used, on other occasions, to hold Clement in a state of uncertainty, were dissipated by Francis's seeming impatience to break through all his engagements with the

[45] Sleid., Hist., p. 98.—Pfeffel, Abrégé de l'Histoire du Droit publique, p. 605, etc.
[46] Mém. de Bellay, p. 97.

emperor. The situation, indeed, of affairs in Italy at that time did not allow the pope to hesitate long. Sforza was still besieged by the imperialists in the castle of Milan. That feeble prince, deprived now of Morone's advice, and unprovided with everything necessary for defence, found means to inform Clement and the Venetians that he must soon surrender if they did not come to his relief. The imperial troops, as they had received no pay since the battle of Pavia, lived at discretion in the Milanese, levying such exorbitant contributions in that duchy as amounted, if we may rely on Guicciardini's calculation, to no less a sum than five thousand ducats a day;[47] nor was it to be doubted but that the soldiers, as soon as the castle should submit, would choose to leave a ruined country, which hardly afforded them subsistence, that they might take possession of more comfortable quarters in the fertile and untouched territories of the pope and Venetians. The assistance of the French king was the only thing which could either save Sforza or enable them to protect their own dominions from the insults of the imperial troops.

For these reasons, the pope, the Venetians, and duke of Milan were equally impatient to come to an agreement with Francis, who, on his part, was no less desirous of acquiring such a considerable accession both of strength and reputation as such a confederacy would bring along with it. The chief objects of this alliance, which was concluded at Cognac on the 22nd of May, though kept secret for some time, were to oblige the emperor to set at liberty the French king's sons upon payment of a reasonable ransom, and to re-establish Sforza in the quiet possession of the Milanese. If Charles should refuse either of these, the contracting parties bound themselves to bring into the field an army of thirty-five thousand men, with which, after driving the Spaniards out of the Milanese, they would attack the kingdom of Naples. The king of England was declared protector of this league, which they dignified with the name of *holy*, because the pope was at the head of it; and, in order to allure Henry more effectually, a principality in the kingdom of Naples, of thirty thousand ducats' yearly revenue, was to be settled on him, and lands to the value of ten thousand ducats on Wolsey, his favourite.[48]

No sooner was this league concluded than Clement, by the plenitude of his papal power, absolved Francis from the oath which he had taken to observe the treaty of Madrid.[49] This right, how pernicious soever in its effects, and destructive of that integrity which is the basis of all transactions among men, was the natural consequence of the powers which the popes arrogated as the infallible vicegerents of Christ upon earth. But as, in virtue of this pretended prerogative, they had often dispensed with obligations which were held sacred, the interest of some men, and the credulity of others, led them to imagine that the decisions of a sovereign pontiff authorized or justified actions which would otherwise have been criminal and impious.

The discovery of Francis's intention to elude the treaty of Madrid filled the emperor with a variety of disquieting thoughts. He had treated an unfortunate prince in the most ungenerous manner; he had displayed an insatiable ambition in all his negotiations with his prisoner; he knew what censures the former had drawn upon him, and what apprehensions the latter had excited in every court of Europe; nor had he reaped from the measures which he pursued any of those advantages which politicians are apt to consider as an excuse for the most criminal conduct and a compensation for the severest reproaches. Francis was now out of his hands, and not one of all the mighty

[47] Guic., lib. xvii. 360.

[48] P. Heuter., Rer. Austr., lib. ix. c. 3, p. 217.—Recueil des Trait., ii. 124.

[49] Goldast., Polit. Imperial., p. 1002.—Pallav., Hist., p. 70.

consequences which he had expected from the treaty that set him at liberty was likely to take place. His rashness in relying so far on his own judgment as to trust to the sincerity of the French king, in opposition to the sentiments of his wisest ministers, was now apparent; and he easily conjectured that the same confederacy the dread of which had induced him to set Francis at liberty would now be formed against him, with that gallant and incensed monarch at its head. Self-condemnation and shame on account of what was past, with anxious apprehensions concerning what might happen, were the necessary result of these reflections on his own conduct and situation. Charles, however, was naturally firm and inflexible in all his measures. To have receded suddenly from any article in the treaty of Madrid would have been a plain confession of imprudence and a palpable symptom of fear: he determined, therefore, that it was most suitable to his dignity to insist, whatever might be the consequences, on the strict execution of the treaty, and particularly not to accept of anything which might be offered as an equivalent for the restitution of Burgundy.[50]

In consequence of this resolution, he appointed Lannoy and Alarcon to repair, as his ambassadors, to the court of France, and formally to summon the king either to execute the treaty with the sincerity that became him, or to return, according to his oath, a prisoner to Madrid. Instead of giving them an immediate answer, Francis admitted the deputies of the states of Burgundy to an audience in their presence. They humbly represented to him that he had exceeded the powers vested in a king of France when he consented to alienate their country from the crown, the domains of which he was bound by his coronation oath to preserve entire and unimpaired. Francis, in return, thanked them for their attachment to his crown, and entreated them, though very faintly, to remember the obligations which he lay under to fulfil his engagements with the emperor. The deputies, assuming a higher tone, declared that they would not obey commands which they considered as illegal; and if he should abandon them to the enemies of France they had resolved to defend themselves to the best of their power, with a firm purpose rather to perish than submit to a foreign dominion. Upon which Francis, turning towards the imperial ambassadors, represented to them the impossibility of performing what he had undertaken, and offered, in lieu of Burgundy, to pay the emperor two millions of crowns. The viceroy and Alarcon, who easily perceived that the scene to which they had been witnesses was concerted between the king and his subjects in order to impose upon them, signified to him their master's fixed resolution not to depart in the smallest point from the terms of the treaty, and withdrew.[51] Before they left the kingdom, they had the mortification to hear the holy league against the emperor published with great solemnity.

Charles no sooner received an account of this confederacy than he exclaimed, in the most public manner and in the harshest terms, against Francis, as a prince void of faith and of honour. He complained no less of Clement, whom he solicited in vain to abandon his new allies; he accused him of ingratitude; he taxed him with an ambition unbecoming his character; he threatened him not only with all the vengeance which the power of an emperor can inflict, but, by appealing to a general council, called up before his eyes all the terrors arising from the authority of those assemblies so formidable to the papal see. It was necessary, however, to oppose something else than reproaches and threats to the powerful combination formed against

[50] Guic., lib. xvii. 366.
[51] Belcar., Comment. de Reb. Gal., 573.—Mém. de Bellay, p. 97.

him; and the emperor, prompted by so many passions, did not fail to exert himself with unusual vigour in order to send supplies, not only of men, but of money, which was still more needed, into Italy.

On the other hand, the efforts of the confederates bore no proportion to that animosity against the emperor with which they seemed to enter into the holy league. Francis, it was thought, would have infused spirit and vigour into the whole body. He had his lost honour to repair, many injuries to revenge, and the station among the princes of Europe, from which he had fallen, to recover. From all these powerful incitements, added to the natural impetuosity of his temper, a war more fierce and bloody than any that he had hitherto made upon his rival was expected. But Francis had gone through such a scene of distress, and the impression it had made was still so fresh in his memory, that he was become diffident himself, distrustful of fortune, and desirous of tranquillity. To procure the release of his sons, and to avoid the restitution of Burgundy by paying some reasonable equivalent, were his chief objects; and for the sake of these he would willingly have sacrificed Sforza, and the liberties of Italy, to the emperor. He flattered himself that the dread of the confederacy which he had formed would of itself induce Charles to listen to what was equitable, and was afraid of employing any considerable force for the relief of the Milanese, lest his allies, whom he had often found to be more attentive to their own interest than punctual in fulfilling their engagements, should abandon him as soon as the imperialists were driven out of that country, and deprive his negotiations with the emperor of that weight which they derived from his being at the head of a powerful league. In the meantime, the castle of Milan was pressed more closely than ever, and Sforza was now reduced to the last extremity. The pope and Venetians, trusting to Francis's concurrence, commanded their troops to take the field in order to relieve him; and an army more than sufficient for that service was soon formed. The Milanese, passionately attached to their unfortunate duke, and no less exasperated against the imperialists, who had oppressed them so cruelly, were ready to aid the confederates in all their enterprises. But the duke d'Urbino, their general, naturally slow and indecisive, and restrained, besides, by his ancient enmity to the family of Medici from taking any step that might aggrandize or add reputation to the pope,[52] lost some opportunities of attacking the imperialists and raising the siege, and refused to improve others. These delays gave Bourbon time to bring up a reinforcement of fresh troops and a supply of money. He immediately took the command of the army, and pushed on the siege with such vigour as quickly obliged Sforza to surrender, who, retiring to Lodi, which the confederates had surprised, left Bourbon in full possession of the rest of the duchy, the investiture of which the emperor had promised to grant him.[53]

The Italians began now to perceive the game which Francis had played, and to be sensible that, notwithstanding all their address, and refinements in negotiation, which they boasted of as talents peculiarly their own, they had for once been overreached in those very arts by a *tramontane* prince. He had hitherto thrown almost the whole burden of the war upon them, taking advantage of their efforts in order to enforce the proposals which he often renewed at the court of Madrid for obtaining the liberty of his sons. The pope and Venetians expostulated and complained;[54] but, as they were not able to rouse Francis from his inactivity, their own zeal and vigour gradually abated, and Clement, having already gone farther than his timidity usually

[52] Guic., lib. xvii. 382.
[53] Ibid., 376, etc.
[54] Ruscelli, Lettere de' Principi, ii. 157, etc., 159, 160–166.

permitted him, began to accuse himself of rashness, and to relapse into his natural state of doubt and uncertainty.

All the emperor's motions, depending on himself alone, were more brisk and better concerted. The narrowness of his revenues, indeed, did not allow him to make any sudden or great effort in the field, but he abundantly supplied that defect by his intrigues and negotiations. The family of Colonna, the most powerful of all the Roman barons, had adhered uniformly to the Ghibelline or imperial faction during those fierce contentions between the popes and emperors which for several ages filled Italy and Germany with discord and bloodshed. Though the causes which at first gave birth to these destructive factions existed no longer, and the rage with which they had been animated was in a great measure spent, the Colonnas still retained their attachment to the imperial interest, and, by placing themselves under the protection of the emperors, secured the quiet possession of their own territories and privileges. The Cardinal Pompeo Colonna, a man of a turbulent and ambitious temper, at that time the head of the family, had long been Clement's rival, to whose influence in the last conclave he imputed the disappointment of all his schemes for attaining the papal dignity, of which, from his known connection with the emperor, he thought himself secure. To an aspiring mind, this was an injury too great to be forgiven; and, though he had dissembled his resentment so far as to vote for Clement at his election, and to accept of great offices in his court, he waited with the utmost impatience for an opportunity of being revenged. Don Hugo de Moncada, the imperial ambassador at Rome, who was no stranger to these sentiments, easily persuaded him that now was the time, while all the papal troops were employed in Lombardy, to attempt something which would at once avenge his own wrongs and be of essential service to the emperor his patron. The pope, however, whose timidity rendered him quick-sighted, was so attentive to their operations, and began to be alarmed so early, that he might have drawn together troops sufficient to have disconcerted all Colonna's measures. But Moncada amused him so artfully with negotiations, promises, and false intelligence that he lulled asleep all his suspicions, and prevented his taking any of the precautions necessary for his safety; and, to the disgrace of a prince possessed of great power as well as renowned for political wisdom, Colonna, at the head of three thousand men, seized one of the gates of his capital while he, imagining himself to be in perfect security, was altogether unprepared for resisting such a feeble enemy. The inhabitants of Rome permitted Colonna's troops, from whom they apprehended no injury, to advance without opposition; the pope's guards were dispersed in a moment; and Clement himself, terrified at the danger, ashamed of his own credulity, and deserted by almost every person, fled with precipitation into the castle of St. Angelo, which was immediately invested. The palace of the Vatican, the church of St. Peter, and the houses of the pope's ministers and servants were plundered in the most licentious manner. The rest of the city was left unmolested. Clement, destitute of everything necessary either for subsistence or defence, was soon obliged to demand a capitulation; and Moncada, being admitted into the castle, prescribed to him, with all the haughtiness of a conqueror, conditions which it was not in his power to reject. The chief of these was that Clement should not only grant a full pardon to the Colonnas, but receive them into favour, and immediately withdraw all the troops in his pay from the army of the confederates in Lombardy.[55]

The Colonnas, who talked of nothing less than of deposing Clement and of

[55] Jovii Vita Pomp. Colon.—Guic., lib. xvii. 407.—Ruscelli, Lettere de' Principi, i. p. 104

placing Pompeo, their kinsman, in the vacant chair of St. Peter, exclaimed loudly against a treaty which left them at the mercy of a pontiff justly incensed against them. But Moncada, attentive only to his master's interest, paid little regard to their complaints, and by this fortunate measure broke entirely the power of the confederates.

While the army of the confederates suffered such a considerable diminution, the imperialists received two great reinforcements; one from Spain, under the command of Lannoy and Alarcon, which amounted to six thousand men; the other was raised in the empire by George Fronsperg, a German nobleman, who, having served in Italy with great reputation, had acquired such influence and popularity that multitudes of his countrymen, fond on every occasion of engaging in military enterprises, and impatient at that juncture to escape from the oppression which they felt in religious as well as civil matters, crowded to his standard; so that, without any other gratuity than the payment of a crown to each man, fourteen thousand enlisted in his service. To these the Archduke Ferdinand added two thousand horse, levied in the Austrian dominions. But although the emperor had raised troops, he could not remit the sums necessary for their support. His ordinary revenues were exhausted; the credit of princes, during the infancy of commerce, was not extensive; and the cortes of Castile, though every art had been tried to gain them, and some innovations had been made in the constitution in order to secure their concurrence, peremptorily refused to grant Charles any extraordinary supply;[56] so that the more his army increased in number the more were his generals embarrassed and distressed. Bourbon, in particular, was involved in such difficulties that he stood in need of all his address and courage in order to extricate himself. Large sums were due to the Spanish troops already in the Milanese, when Fronsperg arrived with sixteen thousand hungry Germans, destitute of everything. Both made their demands with equal fierceness, the former claiming their arrears, and the latter the pay which had been promised them on their entering Lombardy. Bourbon was altogether incapable of giving satisfaction to either. In this situation he was constrained to commit acts of violence extremely shocking to his own nature, which was generous and humane. He seized the principal citizens of Milan, and by threats, and even by torture, forced from them a considerable sum; he rifled the churches of all their plate and ornaments; the inadequate supply which these afforded he distributed among the soldiers, with so many soothing expressions of his sympathy and affection that, though it fell far short of the sums due to them, it appeased their present murmurs.[57]

Among other expedients for raising money, Bourbon granted his life and liberty to Morone, who, having been kept in prison since his intrigue with Pescara, had been condemned to die by the Spanish judges empowered to try him. For this remission he paid twenty thousand ducats; and such were his singular talents, and the wonderful ascendant which he always acquired over the minds of those to whom he had access, that in a few days, from being Bourbon's prisoner, he became his prime confidant, with whom he consulted in all affairs of importance. To his insinuations must be imputed the suspicions which Bourbon began to entertain that the emperor had never intended to grant him the investiture of Milan, but had appointed Leyva and the other Spanish generals rather to be spies on his conduct than to co-operate heartily towards the execution of his schemes. To him likewise, as he still retained, at the age of fourscore, all the enterprising spirit of youth, may be attributed the bold and unexpected measure on which Bourbon soon after ventured.[58]

[56] Sandoval, i. 814. [57] Ripamond. Hist. Mediol., lib. ix. p. 717. [58] Guic., lib. xvii. 419.

Such, indeed, were the exigencies of the imperial troops in the Milanese that it became indispensably necessary to take some immediate step for their relief. The arrears of the soldiers increased daily; the emperor made no remittances to his generals; and the utmost rigour of military extortion could draw nothing more from a country entirely drained and ruined. In this situation there was no choice left but either to disband the army or to march for subsistence into the enemy's country. The territories of the Venetians lay nearest at hand; but they, with their usual foresight and prudence, had taken such precautions as secured them from any insult. Nothing, therefore, remained but to invade the dominions of the Church, or of the Florentines; and Clement had of late acted such a part as merited the severest vengeance from the emperor. No sooner did the papal troops return to Rome after the insurrection of the Colonnas, than, without paying any regard to the treaty with Moncada, he degraded the Cardinal Colonna, excommunicated the rest of the family, seized their places of strength, and wasted their lands with all the cruelty which the smart of a recent injury naturally excites. After this he turned his arms against Naples, and, as his operations were seconded by the French fleet, he made some progress towards the conquest of that kingdom; the viceroy being no less destitute than the other imperial generals of the money requisite for a vigorous defence.[59]

These proceedings of the pope justified, in appearance, the measures which Bourbon's situation rendered necessary; and he set about executing them under such disadvantages as furnish the strongest proof both of the despair to which he was reduced, and of the greatness of his abilities, which were able to surmount so many obstacles. Having committed the government of Milan to Leyva, whom he was not unwilling to leave behind, he began his march in the depth of winter, at the head of twenty-five thousand men, composed of nations differing from each other in language and manners, without money, without magazines, without artillery, without carriages,—in short, without any of those things which are necessary to the smallest party, and which seem essential to the existence and motions of a great army. His route lay through a country cut by rivers and mountains, in which the roads were almost impracticable: as an addition to his difficulties, the enemy's army, superior to his own in number, was at hand to watch all his motions and to improve every advantage. But his troops, impatient of their present hardships, and allured by the hopes of immense booty, without considering how ill provided they were for a march, followed him with great cheerfulness. His first scheme was to have made himself master of Placentia and to have gratified his soldiers by the plunder of that city; but the vigilance of the confederate generals rendered the design abortive. Nor had he better success in his project for the reduction of Bologna, which was seasonably supplied with as many troops as secured it from the insults of an army which had neither artillery nor ammunition. Having failed in both these attempts to become master of some great city, he was under a necessity of advancing. But he had now been two months in the field; his troops had suffered every calamity that a long march, together with the uncommon rigour of the season, could bring upon men destitute of all necessary accommodations in an enemy's country; the magnificent promises to which they trusted had hitherto proved altogether vain; they saw no prospect of relief; their patience, tried to the utmost, failed at last, and they broke out into open mutiny. Some officers, who rashly attempted to restrain them, fell victims to their fury: Bourbon himself, not daring to appear during the first transports of their rage, was obliged to fly

[59] Jovii Vita Pomp. Colon.—Guic., lib. xviii. 424.

secretly from his quarters.[60] But this sudden ebullition of wrath began at last to subside, when Bourbon, who possessed in a wonderful degree the art of governing the minds of soldiers, renewed his promises with more confidence than formerly, and assured them that they would be soon accomplished. He endeavoured to render their hardships more tolerable by partaking of them himself; he fared no better than the meanest sentinel; he marched along with them on foot; he joined them in singing their camp ballads, in which, with high praises of his valour, they mingled many strokes of military raillery on his poverty; and wherever they came, he allowed them, as a foretaste of what he had promised, to plunder the adjacent villages at discretion. Encouraged by all these soothing arts, they entirely forgot their sufferings and complaints, and followed him with the same implicit confidence as formerly.[61]

Bourbon, meanwhile, carefully concealed his intentions. Rome and Florence, not knowing on which the blow would fall, were held in the most disquieting state of suspense. Clement, equally solicitous for the safety of both, fluctuated in more than his usual uncertainty; and while the rapid approach of danger called for prompt and decisive measures, he spent the time in deliberations which came to no issue, or in taking resolutions which next day his restless mind, more sagacious in discerning than in obviating difficulties, overturned, without being able to fix on what should be substituted in their place. At one time he determined to unite himself more closely than ever with his allies, and to push on the war with vigour; at another, he inclined to bring all differences to a final accommodation by a treaty with Lannoy, who, knowing his passion for negotiation, solicited him incessantly with proposals for that purpose. His timidity at length prevailed, and led him to conclude an agreement with Lannoy, of which the following were the chief articles: That a suspension of arms should take place between the pontifical and imperial troops for eight months; that Clement should advance sixty thousand crowns towards satisfying the demands of the imperial army; that the Colonnas should be absolved from censure, and their former dignities and possessions be restored to them; that the viceroy should come to Rome, and prevent Bourbon from approaching nearer to that city or to Florence.[62] On this hasty treaty, which deprived him of all hopes of assistance from his allies, without affording him any solid foundation of security, Clement relied so firmly that, like a man extricated at once out of all difficulties, he was at perfect ease, and, in the fulness of his confidence, disbanded all his troops, except as many as were sufficient to guard his own person. This amazing confidence of Clement, who on every other occasion was fearful and suspicious to excess, appeared so unaccountable to Guicciardini, who, being at that time the pontifical commissary-general and resident in the confederate army, had great opportunities, as well as great abilities, for observing how chimerical all his hopes were, that he imputes the pope's conduct at this juncture wholly to infatuation, which those who are doomed to ruin cannot avoid.[63]

Lannoy, it would seem, intended to have executed the treaty with great sincerity, and, having detached Clement from the confederacy, wished to turn Bourbon's army against the Venetians, who, of all the powers at war with the emperor, had exerted the greatest vigour. With this view, he despatched a courier to Bourbon, informing him of the suspension of arms which, in the name of their common master, he had concluded with the pope. Bourbon had other schemes, and he had prosecuted them now too far to think of retreating.

[60] Guic., lib. xviii. 434.—Jovii Vit. Colon., 163.

[61] Œuvres de Brant., vol. iv. p. 246, etc.

[62] Guic., lib. xviii. 436.

[63] Ibid., 446.

To have mentioned a retreat to his soldiers would have been dangerous; his command was independent of Lannoy; he was fond of mortifying a man whom he had many reasons to hate: for these reasons, without paying the least regard to the message, he continued to ravage the ecclesiastical territories and to advance towards Florence. Upon this, all Clement's terror and anxiety returning with new force, he had recourse to Lannoy, and entreated and conjured him to put a stop to Bourbon's progress. Lannoy accordingly set out for his camp, but durst not approach it; Bourbon's soldiers, having got notice of the truce, raged and threatened, demanding the accomplishment of the promises to which they had trusted; their general himself could hardly restrain them; every person in Rome perceived that nothing remained but to prepare for resisting a storm which it was now impossible to dispel. Clement alone, relying on some ambiguous and deceitful professions which Bourbon made of his inclination towards peace, sunk back into his former security.[64]

Bourbon, on his part, was far from being free from solicitude. All his attempts on any place of importance had hitherto miscarried; and Florence, towards which he had been approaching for some time, was, by the arrival of the duke d'Urbino's army, put in a condition to set his power at defiance. As it now became necessary to change his route, and to take instantly some new resolution, he fixed without hesitation on one which was no less daring in itself than it was impious, according to the opinion of that age. This was to assault and plunder Rome. Many reasons, however, prompted him to it. He was fond of thwarting Lannoy, who had undertaken for the safety of that city; he imagined that the emperor would be highly pleased to see Clement, the chief author of the league against him, humbled; he flattered himself that by gratifying the rapacity of his soldiers with such immense booty he would attach them for ever to his interest; or (which is still more probable than any of these) he hoped that by means of the power and fame which he would acquire from the conquest of the first city in Christendom he might lay the foundation of an independent power, and that, after shaking off all connection with the emperor, he might take possession of Naples, or of some of the Italian states, in his own name.[65]

Whatever his motives were he executed his resolution with a rapidity equal to the boldness with which he had formed it. His soldiers, now that they had their prey full in view, complained neither of fatigue, nor famine, nor want of pay. No sooner did they begin to move from Tuscany towards Rome than the pope, sensible at last how fallacious the hopes had been on which he reposed, started from his security. But no time now remained, even for a bold and decisive pontiff, to have taken proper measures or to have formed any effectual plan of defence. Under Clement's feeble conduct, all was consternation, disorder, and irresolution. He collected, however, such of his disbanded soldiers as still remained in the city; he armed the artificers of Rome, and the footmen and train-bearers of the cardinals; he repaired the breaches in the walls; he began to erect new works; he excommunicated Bourbon and all his troops, branding the Germans with the name of Lutherans, and the Spaniards with that of Moors.[66] Trusting to these ineffectual military preparations, or to his spiritual arms, which were still more despised by rapacious soldiers, he seems to have laid aside his natural timidity, and, contrary to the advice of all his counsellors, determined to wait the approach of an enemy whom he might easily have avoided by a timely retreat.

[64] Guic., lib. xviii. 437, etc.—Mém. de Bellay, p. 100.

[65] Brant., iv. 271, vi. 189.—Belcarii Comment., 594.

[66] Seckend., lib. ii. 68.

Bourbon, who saw the necessity of despatch, now that his intentions were known, advanced with such speed that he gained several marches on the duke d'Urbino's army, and encamped in the plains of Rome on the evening of the 5th of May. From thence he showed his soldiers the palaces and churches of that city, into which, as the capital of the Christian commonwealth, the riches of all Europe had flowed during many centuries, without having been once violated by any hostile hand, and, commanding them to refresh themselves that night, as a preparation for the assault next day, promised them, in reward of their toils and valour, the possession of all the treasures accumulated there.

Early in the morning, Bourbon, who had determined to distinguish that day either by his death or the success of his enterprise, appeared at the head of his troops clad in complete armour, above which he wore a vest of white tissue, that he might be more conspicuous both to his friends and to his enemies; and, as all depended on one bold impression, he led them instantly to scale the walls. Three distinct bodies, one of Germans, another of Spaniards, and the last of Italians, the three different nations of whom the army was composed, were appointed to this service; a separate attack was assigned to each; and the whole army advanced to support them, as occasion should require. A thick mist concealed their approach until they reached almost the brink of the ditch which surrounded the suburbs; having planted their ladders in a moment, each brigade rushed on the assault with an impetuosity heightened by national emulation. They were received at first with fortitude equal to their own: the Swiss in the pope's guards, and the veteran soldiers who had been assembled, fought with a courage becoming men to whom the defence of the noblest city in the world was intrusted. Bourbon's troops, notwithstanding all their valour, gained no ground, and even began to give way; when their leader, perceiving that on this critical moment the fate of the day depended, leaped from his horse, pressed to the front, snatched a scaling-ladder from a soldier, planted it against the wall, and began to mount it, encouraging his men with his voice and hand to follow him. But at that very instant a musket-bullet from the ramparts pierced his groin with a wound which he immediately felt to be mortal; but he retained so much presence of mind as to desire those who were near him to cover his body with a cloak, that his death might not dishearten his troops; and soon after he expired, with a courage worthy of a better cause, and which would have entitled him to the highest praise if he had thus fallen in defence of his country, not at the head of its enemies.[67]

This fatal event could not be concealed from the army; the soldiers soon missed their general, whom they were accustomed to see in every time of danger; but, instead of being disheartened by their loss, it animated them with new valour; the name of Bourbon resounded along the line, accompanied with the cry of *blood* and *revenge*. The veterans who defended the walls were soon overpowered by numbers; the untrained body of city recruits fled at the sight of danger, and the enemy, with irresistible violence, rushed into the town.

During the combat, Clement was employed at the high altar of St. Peter's church in offering up to Heaven unavailing prayers for victory. No sooner was he informed that his troops began to give way than he fled with precipitation; and, with an infatuation still more amazing than anything already mentioned, instead of making his escape by the opposite gate, where there was no enemy to oppose it, he shut himself up, together with thirteen

[67] Mém. de Bellay, 101.—Guic., lib., xviii. p. 445, etc.—Œuvres de Brant., iv. 257, etc.

cardinals, the foreign ambassadors, and many persons of distinction, in the castle of St. Angelo, which, from his late misfortune, he might have known to be an insecure retreat. In his way from the Vatican to that fortress he saw his troops flying before an enemy who pursued without giving quarter; he heard the cries and lamentations of the Roman citizens, and beheld the beginning of those calamities which his own credulity and ill conduct had brought upon his subjects.[68]

It is impossible to describe, or even to imagine, the misery and horror of that scene which followed. Whatever a city taken by storm can dread from military rage unrestrained by discipline, whatever excesses the ferocity of the Germans, the avarice of the Spaniards, or the licentiousness of the Italians could commit, these wretched inhabitants were obliged to suffer. Churches, palaces, and the houses of private persons were plundered without distinction. No age, or character, or sex, was exempt from injury. Cardinals, nobles, priests, matrons, virgins, were all the prey of soldiers, and at the mercy of men deaf to the voice of humanity. Nor did these outrages cease, as is usual in towns which are carried by assault, when the first fury of the storm was over: the imperialists kept possession of Rome several months; and during all that time the insolence and brutality of the soldiers hardly abated. Their booty in ready money alone amounted to a million of ducats; what they raised by ransoms and exactions far exceeded that sum. Rome, though taken several different times by the Northern nations, who overran the empire in the fifth and sixth centuries, was never treated with so much cruelty by the barbarous and heathen Huns, Vandals, or Goths as now by the bigoted subjects of a Catholic monarch.[69]

After Bourbon's death, the command of the imperial army devolved on Philibert de Châlons, prince of Orange, who with difficulty prevailed on as many of his soldiers to desist from the pillage as were necessary to invest the castle of St. Angelo. Clement was immediately sensible of his error in having retired into that ill-provided and untenable fort. But as the imperialists, scorning discipline, and intent only on plunder, pushed the siege with little vigour, he did not despair of holding out until the duke d'Urbino could come to his relief. That general advanced at the head of an army composed of Venetians, Florentines, and Swiss, in the pay of France, of sufficient strength to have delivered Clement from the present danger. But D'Urbino, preferring the indulgence of his hatred against the family of Medici to the glory of delivering the capital of Christendom and the head of the Church, pronounced the enterprise to be too hazardous, and, from an exquisite refinement in revenge, having marched forward so far that his army, being seen from the ramparts of St. Angelo, flattered the pope with the prospect of certain relief, he immediately wheeled about, and retired.[70] Clement, deprived of every resource, and reduced to such extremity of famine as to feed on asses' flesh,[71] was obliged to capitulate on such conditions as the conquerors were pleased to prescribe. He agreed to pay four hundred thousand ducats to the army, to surrender to the emperor all the places of strength belonging to the Church, and, besides giving hostages, to remain a prisoner himself until the chief articles were performed. He was committed to the care of Alarcon, who by his severe vigilance in guarding Francis had given full proof of his being qualified for that office; and thus, by a singular accident, the same man had the

[68] Jov. Vit. Colon., 165.

[69] Jov. Vit. Colon., 166.—Guic., lib. xviii. 440, etc.—Comment. de Capta Urbe Romæ, ap. Scardium, ii. 230.—Ulloa, Vita di Carlo V., p. 110, etc.—Giannone, Hist. of Nap., b. xxxi. c. 3, p. 507.

[70] Guic., lib. xviii. 450.

[71] Jov. Vit. Colon., 167.

custody of the two most illustrious personages who had been made prisoners in Europe during several ages.

The account of this extraordinary and unexpected event was no less surprising than agreeable to the emperor. But in order to conceal his joy from his subjects, who were filled with horror at the success and crimes of their countrymen, and to lessen the indignation of the rest of Europe, he declared that Rome had been assaulted without any order from him. He wrote to all the princes with whom he was in alliance, disclaiming his having had any knowledge of Bourbon's intention.[72] He put himself and court into mourning; commanded the rejoicings which had been ordered for the birth of his son Philip to be stopped; and, employing an artifice no less hypocritical than gross, he appointed prayers and processions throughout all Spain for the recovery of the pope's liberty, which, by an order to his generals, he could have immediately granted him.[73]

The good fortune of the house of Austria was no less conspicuous in another part of Europe. Solyman having invaded Hungary with an army of three hundred thousand men, Lewis II., king of that country and of Bohemia, a weak and unexperienced prince, advanced rashly to meet him with a body of men which did not amount to thirty thousand. With an imprudence still more unpardonable, he gave the command of these troops to Paul Tomorri, a Franciscan monk, archbishop of Golocza. This awkward general, in the dress of his order, girt with its cord, marched at the head of the troops; and, hurried on by his own presumption, as well as by the impetuosity of nobles who despised danger but were impatient of long service, he fought the fatal battle of Mohacz, in which the king, the flower of the Hungarian nobility, and upwards of twenty thousand men, fell, the victims of his folly and ill conduct. Solyman, after his victory, seized and kept possession of several towns of the greatest strength in the southern provinces of Hungary, and, overrunning the rest of the country, carried near two hundred thousand persons into captivity. As Lewis was the last male of the royal family of Jagellon, the Archduke Ferdinand claimed both his crowns. This claim was founded on a double title; the one derived from the ancient pretensions of the house of Austria to both kingdoms, the other from the right of his wife, the only sister of the deceased monarch. The feudal institutions, however, subsisted both in Hungary and Bohemia in such vigour, and the nobles possessed such extensive power, that the crowns were still elective, and Ferdinand's rights, if they had not been powerfully supported, would have met with little regard. But his own personal merit, the respect due to the brother of the greatest monarch in Christendom, the necessity of choosing a prince able to afford his subjects some additional protection against the Turkish arms, which, as they had recently felt their power, they greatly dreaded, together with the intrigues of his sister, who had been married to the late king, overcame the prejudices which the Hungarians had conceived against the archduke as a foreigner, and, though a considerable party voted for the Vaywode of Transylvania, at length secured Ferdinand the throne of that kingdom. The states of Bohemia imitated the example of their neighbour kingdom; but, in order to ascertain and secure their own privileges, they obliged Ferdinand, before his coronation, to subscribe a deed, which they term a *reverse*, declaring that he held that crown not by any previous right, but by their gratuitous and voluntary election. By such a vast accession of territories, the hereditary possession of which they secured in process of time to their family, the princes of the house of Austria

[72] Ruscelli, Lettere de' Principi, ii. 234.
[73] Sleid., 109.—Sandoval, i. 822.—Mauroc. Hist. Veneta, lib. iii. 220.

attained that pre-eminence in power which hath rendered them so formidable to the rest of Germany.[74]

The dissensions between the pope and emperor proved extremely favourable to the progress of Lutheranism. Charles, exasperated by Clement's conduct, and fully employed in opposing the league which he had formed against him, had little inclination, and less leisure, to take any measures for suppressing the new opinions in Germany. In a diet of the empire held at Spires, the state of religion came to be considered, and all that the emperor required of the princes was that they would wait patiently, and without encouraging innovations, for the meeting of a general council, which he had demanded of the pope. They, in return, acknowledged the convocation of a council to be the proper and regular step towards reforming abuses in the Church, but contended that a national council held in Germany would be more effectual for that purpose than what he had proposed. To his advice concerning the discouragement of innovations they paid so little regard that, even during the meeting of the diet at Spires, the divines who attended the elector of Saxony and the landgrave of Hesse-Cassel thither preached publicly, and administered the sacraments, according to the rites of the Reformed Church.[75] The emperor's own example emboldened the Germans to treat the papal authority with little reverence. During the heat of his resentment against Clement, he had published a long reply to an angry brief which the pope had intended as an apology for his own conduct. In this manifesto, the emperor, after having enumerated many instances of that pontiff's ingratitude, deceit, and ambition, all which he painted in the strongest and most aggravated colours, appealed from him to a general council. At the same time he wrote to the college of cardinals, complaining of Clement's partiality and injustice, and requiring them, if he refused or delayed to call a council, to show their concern for the peace of the Christian Church, so shamefully neglected by its chief pastor, by summoning that assembly in their own name.[76] This manifesto, little inferior in virulence to the invectives of Luther himself, was dispersed over Germany with great industry, and, being eagerly read by persons of every rank, did much more than counterbalance the effect of all Charles's declarations against the new opinions

[74] Steph. Broderick Procancellarii Hungar. Clades in Campo Mohacz, ap. Scardium, ii. 218.—P. Barre, Hist. d'Allemagne, tom. viii. part. i. p. 198.

[75] Sleid., 103.

[76] Goldast., Polit. Imper., p. 984.

BOOK V.

General Indignation and Conf deracy against the Emperor—The Florentines—The French Army in Italy—The Emperor sets the Pope at Liberty, and makes Pacific Overtures—A Royal Challenge—Retreat of the Imperial Army from Rome—The French besiege Naples—Revolt of Andrew Doria—Freedom of Genoa—Operations in the Milanese—Treaty between the Pope and the Emperor, and between Charles and Francis—Henry VIII. seeks a Divorce from his Queen, Catharine of Aragon—Charles visits Italy and re-establishes the Power of the Medici—Returns to Germany—The Diet of Spires The Protest—The Diet of Augsburg—Decree against the Protestants—Charles makes his Brother Ferdinand King of the Romans—Negotiations of the Protestants The Campaign in Hungary—Conference between the Emperor and the Pope—Movements of the French King—Henry divorced from Queen Catharine by the Archbishop, and excommunicated by the Pope—Papal Authority abolished in England—Death of Clement VII.—Pope Paul III.—Insurrection of the Anabaptists in Germany—They become Masters of Munster—John of Leyden crowned King—Confederacy against him—Munster besieged and taken—The League of Smalkalde—Expedition of the Emperor to Africa—The Barbary States—The Barbarossas—Conquest of Tunis—The Emperor besieges Goletta, defeats Barbarossa, and restores the King of Tunis.

The account of the cruel manner in which the pope had been treated filled all Europe with astonishment or horror. To see a Christian emperor, who, by possessing that dignity, ought to have been the protector and advocate of the holy see, lay violent hands on him who represented Christ on earth, and detain his sacred person in a rigorous captivity, was considered as an impiety that merited the severest vengeance and which called for the immediate interposition of every dutiful son of the Church. Francis and Henry, alarmed at the progress of the imperial arms in Italy, had, even before the taking of Rome, entered into a closer alliance, and, in order to give some check to the emperor's ambition, had agreed to make a vigorous diversion in the Low Countries. The force of every motive which had influenced them at that time was now increased; and to these was added the desire of rescuing the pope out of the emperor's hands, a measure no less politic than it appeared to be pious. This, however, rendered it necessary to abandon their hostile intentions against the Low Countries, and to make Italy the seat of war, as it was by vigorous operations there they might contribute most effectually towards delivering Rome and setting Clement at liberty. Francis, being now sensible that in his system with regard to the affairs of Italy the spirit of refinement had carried him too far, and that by an excess of remissness he had allowed Charles to attain advantages which he might easily have prevented, was eager to make reparation for an error of which he was not often guilty, by an activity more suitable to his temper. Henry thought his interposition necessary in order to hinder the emperor from becoming master of all Italy and acquiring by that means such superiority of power as would enable him for the future to dictate without control to the other princes of Europe. Wolsey, whom Francis had taken care to secure by flattery and presents, the certain methods of gaining his favour, neglected nothing that could incense his master against the emperor. Besides all these public con-

siderations, Henry was influenced by one of a more private nature: having begun about this time to form his great scheme of divorcing Catharine of Aragon, towards the execution of which he knew that the sanction of papal authority would be necessary, he was desirous to acquire as much merit as possible with Clement, by appearing to be the chief instrument of his deliverance.

The negotiation, between princes thus disposed, was not tedious. Wolsey himself conducted it, on the part of his sovereign, with unbounded powers. Francis treated with him in person at Amiens, where the cardinal appeared and was received with royal magnificence. A marriage between the duke of Orleans and the princess Mary was agreed to as the basis of the confederacy; it was resolved that Italy should be the theatre of war; the strength of the army which should take the field, as well as the contingent of troops or of money which each prince should furnish, were settled; and if the emperor did not accept of the propo-als which they were jointly to make him, they bound themselves immediately to declare war and to begin hostilities. Henry, who took every resolution with impetuosity, entered so eagerly into this new alliance that, in order to give Francis the strongest proof of his friendship and respect, he formally renounced the ancient claim of the English monarchs to the crown of France, which had long been the pride and ruin of the nation; as a full compensation for which, he accepted a pension of fifty thousand crowns, to be paid annually to himself and his successors.[1]

The pope, being unable to fulfil the conditions of his capitulation, still remained a prisoner, under the severe custody of Alarcon. The Florentines no sooner heard of what had happened at Rome than they ran to arms in a tumultuous manner, expelled the Cardinal di Cortona, who governed their city in the pope's name, defaced the arms of the Medici, broke in pieces the statues of Leo and Clement, and, declaring themselves a free state, re-established their ancient popular government. The Venetians, taking advantage of the calamity of their ally the pope, seized Ravenna, and other places belonging to the Church, under pretext of keeping them in deposit. The dukes of Urbino and Ferrara laid hold likewise on part of the spoils of the unfortunate pontiff, whom they considered as irretrievably ruined.[2]

Lannoy, on the other hand, laboured to derive some solid benefit from that unforeseen event which gave such splendour and superiority to his master's arms. For this purpose he marched to Rome, together with Moncada and the marquis del Guasto, at the head of all the troops which they could assemble in the kingdom of Naples. The arrival of this reinforcement brought new calamities on the unhappy citizens of Rome; for the soldiers, envying the wealth of their companions, imitated their license, and with the utmost rapacity gathered the gleanings which had escaped the avarice of the Spaniards and Germans. There was not now any army in Italy capable of making head against the imperialists; and nothing more was requisite to reduce Bologna and the other towns in the ecclesiastical state than to have appeared before them. But the soldiers, having been so long accustomed, under Bourbon, to an entire relaxation of discipline, and having tasted the sweets of living at discretion in a great city, almost without the control of a superior, were become so impatient of military subordination, and so averse to service, that they refused to leave Rome unless all their arrears were paid,—a condition which they knew to be impossible. At the same time they declared that they would not obey any other person than the prince of Orange, whom the army had chosen general. Lannoy, finding that it was no longer safe for him to remain

[1] Herbert, 83, etc.—Rym., Fœd., xiv. 203. [2] Guic., lib. xviii. 453.

among licentious troops who despised his dignity and hated his person, returned to Naples; soon after, the marquis del Guasto and Moncada thought it prudent to quit Rome, for the same reason. The prince of Orange, a general only in name, and by the most precarious of all tenures, the good will of soldiers whom success and license had rendered capricious, was obliged to pay more attention to their humours than they did to his commands. Thus the emperor, instead of reaping any of the advantages which he might have expected from the reduction of Rome, had the mortification to see the most formidable body of troops that he had ever brought into the field continue in a state of inactivity from which it was impossible to rouse them.[3]

This gave the king of France and the Venetians leisure to form new schemes and to enter into new engagements for delivering the pope and preserving the liberties of Italy. The newly-restored republic of Florence very imprudently joined with them, and Lautrec, of whose abilities the Italians entertained a much more favourable opinion than his own master, was, in order to gratify them, appointed a generalissimo of the league. It was with the utmost reluctance he undertook the office, being unwilling to expose himself a second time to the difficulties and disgraces which the negligence of the king or the malice of his favourites might bring upon him. The best troops in France marched under his command, and the king of England, though he had not yet declared war against the emperor, advanced a considerable sum towards carrying on the expedition. Lautrec's first operations were prudent, vigorous, and successful. By the assistance of Andrew Doria, the ablest sea-officer of that age, he rendered himself master of Genoa, and re-established in that republic the faction of the Fregosi, together with the dominion of France. He obliged Alexander to surrender after a short siege, and reduced all the country on that side of the Tessino. He took Pavia, which had so long resisted the arms of his sovereign, by assault, and plundered it with that cruelty which the memory of the fatal disaster that had befallen the French nation before its walls naturally inspired. All the Milanese, which Antonio de Leyva defended with a small body of troops kept together and supported by his own address and industry, must have soon submitted to his power if he had continued to bend the force of his arms against that country. But Lautrec durst not complete a conquest which would have been so honourable to himself and of such advantage to the league. Francis knew his confederates to be more desirous of circumscribing the imperial power in Italy than of acquiring new territories for him, and was afraid that if Sforza were once re-established in Milan they would second but coldly the attack which he intended to make on the kingdom of Naples. For this reason, he instructed Lautrec not to push his operations with too much vigour in Lombardy; and happily the importunities of the pope and the solicitations of the Florentines, the one for relief and the other for protection, were so urgent as to furnish him with a decent pretext for marching forward without yielding to the entreaties of the Venetians and Sforza, who insisted on his laying siege to Milan.[4]

While Lautrec advanced slowly towards Rome, the emperor had time to deliberate concerning the disposal of the pope's person, who still remained a prisoner in the castle of St. Angelo. Notwithstanding the specious veil of religion with which he usually endeavoured to cover his actions, Charles in many instances appears to have been but little under the influence of religious considerations, and had frequently, on this occasion, expressed an inclination to transport the pope into Spain, that he might indulge his ambition with the

[3] Guic., lib. xviii. 454.
[4] Ibid., 461.—Bellay, 107, etc.—Mauroc., Hist. Venet., lib. iii. 238.

spectacle of the two most illustrious personages in Europe successively prisoners in his court. But the fear of giving new offence to all Christendom, and of filling his own subjects with horror, obliged him to forego that satisfaction.[5] The progress of the confederates made it now necessary either to set the pope at liberty or to remove him to some place of confinement more secure than the castle of St. Angelo. Many considerations induced him to prefer the former, particularly his want of the money requisite as well for recruiting his army as for paying off the vast arrears due to it. In order to obtain this, he had assembled the cortes of Castile at Valladolid about the beginning of the year, and, having laid before them the state of his affairs and represented the necessity of making great preparations to resist the enemies whom envy at the success which had crowned his arms would unite against him, he demanded a large supply in the most pressing terms; but the cortes, as the nation was already exhausted by extraordinary donatives, refused to load it with any new burden, and, in spite of all his endeavours to gain or to intimidate the members, persisted in this resolution.[6] No resource, therefore, remained but the extorting from Clement, by way of ransom, a sum sufficient for discharging what was due to his troops, without which it was vain to mention to them their leaving Rome.

Nor was the pope inactive on his part, or his intrigues unsuccessful towards hastening such a treaty. By flattery, and the appearance of unbounded confidence, he disarmed the resentment of Cardinal Colonna, and wrought upon his vanity, which made him desirous of showing the world that, as his power had at first depressed the pope, it could now raise him to his former dignity. By favours and promises he gained Morone, who, by one of those whimsical revolutions which occur so often in his life, and which so strongly display his character, had now recovered his credit and authority with the imperialists. The address and influence of two such men easily removed all the obstacles which retarded an accommodation, and brought the treaty for Clement's liberty to a conclusion, upon conditions hard, indeed, but not more severe than a prince in his situation had reason to expect. He was obliged to advance, in ready money, a hundred thousand crowns for the use of the army, to pay the same sum at the distance of a fortnight, and, at the end of three months, a hundred and fifty thousand more. He engaged not to take part in the war against Charles, either in Lombardy or in Naples; he granted him a bull of cruzado, and the tenth of ecclesiastical revenues in Spain; and he not only gave hostages, but put the emperor in possession of several towns, as a security for the performance of these articles.[7] Having raised the first moiety by a sale of ecclesiastical dignities and benefices, and other expedients equally uncanonical, a day was fixed for delivering him from imprisonment. But Clement, impatient to be free, after a tedious confinement of six months, as well as full of the suspicion and distrust natural to the unfortunate, was so much afraid that the imperialists might still throw in obstacles to put off his deliverance that he disguised himself, on the night preceding the day when he was to be set free, in the habit of a merchant, and, Alarcon having remitted somewhat of his vigilance upon the conclusion of the treaty, he made his escape undiscovered. He arrived before next morning at Orvietto, without any attendants but a single officer, and from thence wrote a letter of thanks to Lautrec, as the chief instrument of procuring him liberty.[8]

During these transactions, the ambassadors of France and England repaired

[5] Guic., lib. xviii. 457.
[6] Ibid., Jov., Vit. Colon., 169.—Mauroc., Hist. Venet., lib. iii. 252.
[7] Guic., lib. xviii. 467, etc.
[8] Sandoval, i. 814.

to Spain, in consequence of the treaty which Wolsey had concluded with the French king. The emperor, unwilling to draw on himself the united forces of the two monarchs, discovered an inclination to relax somewhat the rigour of the treaty of Madrid, to which hitherto he had adhered inflexibly. He offered to accept of the two millions of crowns which Francis had proposed to pay as an equivalent for the duchy of Burgundy, and to set his sons at liberty, on condition that he would recall his army out of Italy, and restore Genoa, together with the other conquests which he had made in that country. With regard to Sforza, he insisted that his fate should be determined by the judges appointed to inquire into his crimes. These propositions being made to Henry, he transmitted them to his ally, the French king, whom it more nearly concerned to examine and to answer them; and if Francis had been sincerely solicitous either to conclude peace or to preserve consistency in his own conduct, he ought instantly to have closed with overtures which differed but little from the propositions which he himself had formerly made.[9] But his views were now much changed: his alliance with Henry, Lautrec's progress in Italy, and the superiority of his army there above that of the emperor, hardly left him room to doubt of the success of his enterprise against Naples. Full of these sanguine hopes, he was at no loss to find pretexts for rejecting or evading what the emperor had proposed. Under the appearance of sympathy with Sforza, for whose interests he had not hitherto discovered much solicitude, he again demanded the full and unconditional re-establishment of that unfortunate prince in his dominions. Under colour of its being imprudent to rely on the emperor's sincerity, he insisted that his sons should be set at liberty before the French troops left Italy or surrendered Genoa. The unreasonableness of these demands, as well as the reproachful insinuations with which they were accompanied, irritated Charles to such a degree that he could hardly listen to them with patience, and, repenting of his moderation, which had made so little impression on his enemies, declared that he would not depart in the smallest article from the conditions which he had now offered. Upon this, the French and English ambassadors (for Henry had been drawn unaccountably to concur with Francis in these strange propositions) demanded and obtained their audience of leave.[10]

Next day, two heralds, who had accompanied the ambassadors on purpose, though they had hitherto concealed their character, having assumed the ensigns of their office, appeared in the emperor's court, and, being admitted into his presence, they, in the name of their respective masters, and with all the solemnities customary on such occasions, denounced war against him. Charles received both with a dignity suitable to his own rank, but spoke to each in a tone adapted to the sentiments which he entertained of the sovereigns. He accepted the defiance of the English monarch with a firmness tempered by some degree of decency and respect. His reply to the French king abounded with that acrimony of expression which personal rivalship, exasperated by the memory of many injuries inflicted as well as suffered, naturally suggests. He desired the French herald to acquaint his sovereign that he would henceforth consider him not only as a base violator of public faith, but as a stranger to the honour and integrity becoming a gentleman. Francis, too high-spirited to bear such an imputation, had recourse to an uncommon expedient in order to vindicate his character. He instantly sent back the herald with a *cartel* of defiance, in which he gave the emperor the lie in form, challenged him to single combat, requiring him to name the time and place for the encounter, and the weapons with which he chose to fight.

[9] Recueil des Traités, ii. 249. [10] Rym., xiv. 200.—Herbert, 85.—Guic., lib. xviii. 471.

Charles, as he was not inferior to his rival in spirit or bravery, readily accepted the challenge; but, after several messages concerning the arrangement of all the circumstances relative to the combat, accompanied with mutual reproaches, bordering on the most indecent scurrility, all thoughts of this duel, more becoming the heroes of romance than the two greatest monarchs of their age, were entirely laid aside.[11]

The example of two personages so illustrious drew such general attention, and carried with it so much authority, that it had considerable influence in producing an important change in manners all over Europe. Duels, as has already been observed, had long been permitted by the laws of all the European nations, and, forming a part of their jurisprudence, were authorized by the magistrate, on many occasions, as the most proper method of terminating questions with regard to property, or of deciding those which respected crimes. But single combats being considered as solemn appeals to the omniscience and justice of the Supreme Being, they were allowed only in public causes, according to the prescription of law, and carried on in a judicial form. Men accustomed to this manner of decisions in courts of justice were naturally led to apply it to personal and private quarrels. Duels, which at first could be appointed by the civil judge alone, were fought without the interposition of his authority and in cases to which the laws did not extend. The transaction between Charles and Francis strongly countenanced this practice. Upon every affront or injury which seemed to touch his honour, a gentleman thought himself entitled to draw his sword and to call on his adversary to give him satisfaction. Such an opinion becoming prevalent among men of fierce courage, of high spirit, and of rude manners, when offence was often given and revenge was always prompt, produced most fatal consequences. Much of the best blood in Christendom was shed; many useful lives were sacrificed; and, at some periods, war itself hath hardly been more destructive than these private contests of honour. So powerful, however, is the dominion of fashion that neither the terror of penal laws, nor the reverence for religion, have been able entirely to abolish a practice unknown among the ancients, and not justifiable by any principle of reason; though, at the same time, it must be admitted that to this absurd custom we must ascribe in some degree the extraordinary gentleness and complaisance of modern manners, and that respectful attention of one man to another, which at present render the social intercourses of life far more agreeable and decent than among the most civilized nations of antiquity.

While the two monarchs seemed so eager to terminate their quarrel by a personal combat, Lautrec continued his operations, which promised to be more decisive. His army which was now increased to thirty-five thousand men, advanced by great marches towards Naples. The terror of their approach as well as the remonstrances and the entreaties of the prince of Orange, prevailed at last on the imperial troops, though with difficulty, to quit Rome, of which they had kept possession during ten months. But of that flourishing army which had entered the city, scarcely one-half remained: the rest, cut off by the plague, or wasted by disease, the effects of their inactivity, intemperance, and debauchery, fell victims to their own crimes.[12] Lautrec made the greatest efforts to attack them in their retreat towards the Neapolitan territories, which would have finished the war at one blow. But the prudence of their leaders disappointed all his measures and conducted them with little loss to Naples. The people of that kingdom, extremely

[11] Recueil des Traités, 2.—Mém. de Bellay, 103, etc.—Sandoval, Hist., i. 837.

[12] Guic., lib. xviii. 478.

impatient to shake off the Spanish yoke, received the French with open arms wherever they appeared to take possession; and, Gaeta and Naples excepted, hardly any place of importance remained in the hands of the imperialists. The preservation of the former was owing to the strength of its fortifications, that of the latter to the presence of the imperial army. Lautrec, however, sat down before Naples; but, finding it vain to think of reducing a city by force while defended by a whole army, he was obliged to employ the slower but less dangerous method of blockade; and, having taken measures which appeared to him effectual, he confidently assured his master that famine would soon compel the besieged to capitulate. These hopes were strongly confirmed by the defeat of a vigorous attempt made by the enemy in order to recover the command of the sea. The galleys of Andrew Doria, under the command of his nephew Philippino, guarded the mouth of the harbour. Moncada, who had succeeded Lannoy in the viceroyalty, rigged out a number of galleys superior to Doria's, manned them with a chosen body of Spanish veterans, and, going on board himself, together with the marquis del Guasto, attacked Philippino before the arrival of the Venetian and French fleets. But the Genoese admiral, by his superior skill in naval operations, easily triumphed over the valour and number of the Spaniards. The viceroy was killed, most of his fleet destroyed, and Guasto, with many officers of distinction, being taken prisoners, were put on board the captive galleys and sent by Philippino as trophies of his victory to his uncle.[13]

Notwithstanding this flattering prospect of success, many circumstances concurred to frustrate Lautrec's expectations. Clement, though he always acknowledged his being indebted to Francis for the recovery of his liberty, and often complained of the cruel treatment which he had met with from the emperor, was not influenced at this juncture by principles of gratitude, nor, which is more extraordinary, was he swayed by the desire of revenge. His past misfortunes rendered him more cautious than ever, and his recollection of the errors which he had committed increased the natural irresolution of his mind. While he amused Francis with promises, he secretly negotiated with Charles; and, being solicitous above all things to re-establish his family in Florence with their ancient authority, which he could not expect from Francis, who had entered into strict alliance with the new republic, he leaned rather to the side of his enemy than to that of his benefactor, and gave Lautrec no assistance towards carrying on his operations. The Venetians, viewing with jealousy the progress of the French arms, were intent only upon recovering such maritime towns in the Neapolitan dominions as were to be possessed by their republic, while they were altogether careless about the reduction of Naples, on which the success of the common cause depended.[14] The king of England, instead of being able, as had been projected, to embarrass the emperor by attacking his territories in the Low Countries, found his subjects so averse to an unnecessary war, which would have ruined the trade of the nation, that, in order to silence their clamours and put a stop to the insurrections ready to break out among them, he was compelled to conclude a truce for eight months with the governess of the Netherlands.[15] Francis himself, with the same unpardonable inattention of which he had formerly been guilty and for which he had suffered so severely, neglected to make proper remittances to Lautrec for the support of his army.[16]

These unexpected events retarded the progress of the French, discouraging

[13] Guic., lib. xix. 487.—P. Heuter., lib. x. c. 2, p. 231.
[14] Guic., lib. xix. 491.
[15] Herbert, 90.—Rymer, xiv. 258.
[16] Guic., lib. xviii. 478.

both the general and his troops; but the revolt of Andrew Doria proved a fatal blow to all their measures. That gallant officer, the citizen of a republic, and trained up from his infancy in the sea-service, retained the spirit of independence natural to the former, together with the plain, liberal manners peculiar to the latter. A stranger to the arts of submission or flattery necessary in courts, but conscious, at the same time, of his own merit and importance, he always offered his advice with freedom, and often preferred his complaints and remonstrances with boldness. The French ministers, unaccustomed to such liberties, determined to ruin a man who treated them with so little deference; and though Francis himself had a just sense of Doria's services, as well as a high esteem for his character, the courtiers, by continually representing him as a man haughty, intractable, and more solicitous to aggrandize himself than to promote the interests of France, gradually undermined the foundations of his credit and filled the king's mind with suspicion and distrust. From thence proceeded several affronts and indignities put upon Doria. His appointments were not regularly paid; his advice, even in naval affairs, was often slighted; an attempt was made to seize the prisoners taken by his nephew in the sea-fight off Naples; all which he bore with abundance of ill humour. But an injury offered to his country transported him beyond all bounds of patience. The French began to fortify Savona, to clear its harbour, and, removing thither some branches of trade carried on at Genoa, plainly showed that they intended to render that town, which had been long the object of jealousy and hatred to the Genoese, their rival in wealth and commerce. Doria, animated with a patriotic zeal for the honour and interest of his country, remonstrated against this in the highest tone, not without threats if the measure were not instantly abandoned. This bold action, aggravated by the malice of the courtiers and placed in the most odious light, irritated Francis to such a degree that he commanded Barbesieux, whom he appointed admiral of the Levant, to sail directly to Genoa with the French fleet, to arrest Doria, and to seize his galleys. This rash order, the execution of which could have been secured only by the most profound secrecy, was concealed with so little care that Doria got timely intelligence of it and retired with all his galleys to a place of safety. Guasto, his prisoner, who had long observed and fomented his growing discontent, and had often allured him by magnificent promises to enter into the emperor's service, laid hold on this favourable opportunity. While his indignation and resentment were at their height, he prevailed on him to despatch one of his officers to the imperial court with his overtures and demands. The negotiation was not long: Charles, fully sensible of the importance of such an acquisition, granted him whatever terms he required. Doria sent back his commission, together with the collar of St. Michael, to Francis, and, hoisting the imperial colours, sailed with all his galleys towards Naples, not to block up the harbour of that unhappy city, as he had formerly engaged, but to bring them protection and deliverance.

His arrival opened the communication with the sea, and restored plenty in Naples, which was now reduced to the last extremity; and the French, having lost their superiority at sea, were soon reduced to great straits for want of provisions. The prince of Orange, who succeeded the viceroy in the command of the imperial army, showed himself by his prudent conduct worthy of that honour which his good fortune and the death of his generals had twice acquired him. Beloved by the troops, who, remembering the prosperity which they had enjoyed under his command, served him with the utmost alacrity, he let slip no opportunity of harassing the enemy, and by continual alarms or sallies

fatigued and weakened them.[17] As an addition to all these misfortunes, the diseases common in that country during the sultry months began to break out among the French troops. The prisoners communicated to them the pestilence which the imperial army had brought to Naples from Rome, and it raged with such violence that few, either officers or soldiers, escaped the infection. Of the whole army, not four thousand men, a number hardly sufficient to defend the camp, were capable of doing duty;[18] and, being now besieged in their turn, they suffered all the miseries from which the imperialists were delivered. Lautrec, after struggling long with so many disappointments and calamities, which preyed on his mind at the same time that the pestilence wasted his body, died, lamenting the negligence of his sovereign and the infidelity of his allies, to which so many brave men had fallen victims.[19] By his death, and the indisposition of the other generals, the command devolved on the marquis de Saluces, an officer altogether unequal to such a trust. He, with troops no less dispirited than reduced, retreated in disorder to Aversa; which town being invested by the prince of Orange, Saluces was under the necessity of consenting that he himself should remain a prisoner of war, that his troops should lay down their arms and colours, give up their baggage, and march under a guard to the frontiers of France. By this ignominious capitulation the wretched remains of the French army were saved; and the emperor, by his own perseverance and the good conduct of his generals, acquired once more the superiority in Italy.[20]

The loss of Genoa followed immediately upon the ruin of the army in Naples. To deliver his country from the dominion of foreigners was Doria's highest ambition, and had been his principal inducement to quit the service of France and enter into that of the emperor. A most favourable opportunity for executing this honourable enterprise now presented itself. The city of Genoa, afflicted by the pestilence, was almost deserted by its inhabitants; the French garrison, being neither regularly paid nor recruited, was reduced to an inconsiderable number; Doria's emissaries found that such of the citizens as remained, being weary alike of the French and imperial yoke, the rigour of which they had alternately felt, were ready to welcome him as their deliverer and to second all his measures. Things wearing this promising aspect, he sailed towards the coast of Genoa; on his approach the French galleys retired; a small body of men which he landed surprised one of the gates of Genoa in the night-time; Trivulci, the French governor, with his feeble garrison, shut himself up in the citadel, and Doria took possession of the town without bloodshed or resistance. Want of provisions quickly obliged Trivulci to capitulate; the people, eager to abolish such an odious monument of their servitude, ran together with a tumultuous violence and levelled the citadel with the ground.

It was now in Doria's power to have rendered himself the sovereign of his country, which he had so happily delivered from oppression. The fame of his former actions, the success of his present attempt, the attachment of his friends, the gratitude of his countrymen, together with the support of the emperor, all conspired to facilitate his attaining the supreme authority and invited him to lay hold of it. But, with a magnanimity of which there are few examples, he sacrificed all thoughts of aggrandizing himself to the virtuous satisfaction of establishing liberty in his country, the highest object at which ambition can aim. Having assembled the whole body of the people in the

Jovii Hist., lib. xxxvi. p. 31, etc.—Sigonii Vita Doriæ, p. 1139.—Bellay, 114, etc.

[18] Bellay, 117, etc.

[19] P. Heuter., Rerum Austr., lib. x. c. 2, p. 231.

[20] Bellay, 117, etc.—Jovii Hist., lib. xxv., xxvi.

court before his palace, he assured them that the happiness of seeing them once more in possession of freedom was to him a full reward for all his services; that, more delighted with the name of citizen than of sovereign, he claimed no pre-eminence or power above his equals, but remitted entirely to them the right of settling what form of government they would now choose to be established among them. The people listened to him with tears of admiration and of joy. Twelve persons were elected to new-model the constitution of the republic. The influence of Doria's virtue and example communicated itself to his countrymen: the factions which had long torn and ruined the state seemed to be forgotten; prudent precautions were taken to prevent their reviving; and the same form of government which hath subsisted with little variation since that time in Genoa was established with universal applause. Doria lived to a great age, beloved, respected, and honoured by his countrymen; and adhering uniformly to his professions of moderation, without arrogating anything unbecoming a private citizen, he preserved a great ascendant over the councils of the republic, which owed its being to his generosity. The authority which he possessed was more flattering, as well as more satisfactory, than that derived from sovereignty,—a dominion founded in love and in gratitude, and upheld by veneration for his virtues, not by the dread of his power. His memory is still reverenced by the Genoese; and he is distinguished in their public monuments, and celebrated in the works of their historians, by the most honourable of all appellations, THE FATHER OF HIS COUNTRY, AND THE RESTORER OF ITS LIBERTY.[21]

Francis, in order to recover the reputation of his arms, discredited by so many losses, made new efforts in the Milanese. But the count of St. Pol, a rash and unexperienced officer, to whom he gave the command, was no match for Antonio de Leyva, the ablest of the imperial generals. He, by his superior skill in war, checked, with a handful of men, the brisk but ill-concerted motions of the French; and, though so infirm himself that he was carried constantly in a litter, he surpassed them, when occasion required, no less in activity than in prudence. By an unexpected march, he surprised, defeated, and took prisoner the count of St. Pol, ruining the French army in the Milanese as entirely as the prince of Orange had ruined that which besieged Naples.[22]

Amidst these vigorous operations in the field, each party discovered an impatient desire of peace, and continual negotiations were carried on for that purpose. The French king, discouraged and almost exhausted by so many unsuccessful enterprises, was reduced now to think of obtaining the release of his sons by concessions, not by the terror of his arms. The pope hoped to recover by a treaty whatever he had lost in the war. The emperor, notwithstanding the advantages which he had gained, had many reasons to make him wish for an accommodation. Solyman, having overrun Hungary, was ready to break in upon the Austrian territories with the whole force of the East. The Reformation gaining ground daily in Germany, the princes who favoured it had entered into a confederacy which Charles thought dangerous to the tranquillity of the empire. The Spaniards murmured at a war of such unusual length, the weight of which rested chiefly on them. The variety and extent of the emperor's operations far exceeded what his revenues could support: his success hitherto had been owing chiefly to his own good fortune and to the abilities of his generals; nor could he flatter himself that they, with troops

[21] Guic., lib. xix. 498.—Sigonii Vita Doriæ, p. 1146.—Jovii Hist., lib. xxvi. p. 36, etc.

[22] Guic., lib. xix. 520.—P. Heuter., Rer. Austr., lib. x. c. 3, p. 233.—Mém. de Bellay, p. 121.

destitute of everything necessary, would always triumph over enemies still in a condition to renew their attacks. All parties, however, were at equal pains to conceal or to dissemble their real sentiments. The emperor, that his inability to carry on the war might not be suspected, insisted on high terms in the tone of a conqueror. The pope, solicitous not to lose his present allies before he came to any agreement with Charles, continued to make a thousand protestations of fidelity to the former, while he privately negotiated with the latter. Francis, afraid that his confederates might prevent him by treating for themselves with the emperor, had recourse to many dishonourable artifices in order to turn their attention from the measures which he was taking to adjust all differences with his rival.

In this situation of affairs, when all the contending powers wished for peace but durst not venture too hastily on the steps necessary for attaining it, two ladies undertook to procure this blessing so much desired by all Europe. These were Margaret of Austria, duchess dowager of Savoy, the emperor's aunt, and Louise, Francis's mother. They agreed on an interview at Cambray, and, being lodged in two adjoining houses, between which a communication was opened, met together without ceremony or observation, and held daily conferences, to which no person whatever was admitted. As both were profoundly skilled in business, thoroughly acquainted with the secrets of their respective courts, and possessed with perfect confidence in each other, they soon made great progress towards a final accommodation ; and the ambassadors of all the confederates waited in anxious suspense to know their fate, the determination of which was entirely in the hands of those illustrious negotiators.[23]

But, whatever diligence they used to hasten forward a general peace, the pope had the address and industry to get the start of his allies, by concluding at Barcelona a particular treaty for himself. The emperor, impatient to visit Italy in his way to Germany, and desirous of re-establishing tranquillity in the one country before he attempted to compose the disorders which abounded in the other, found it necessary to secure at least one alliance among the Italian states on which he might depend. That with Clement, who courted it with unwearied importunity, seemed more proper than any other. Charles, being extremely solicitous to make some reparation for the insults which he had offered to the sacred character of the pope, and to redeem past offences by new merit, granted Clement, notwithstanding all his misfortunes, terms more favourable than he could have expected after a continued series of successes. Among other articles, he engaged to restore all the territories belonging to the ecclesiastical state, to re-establish the dominion of the Medici in Florence, to give his natural daughter in marriage to Alexander, the head of that family, and to put it in the pope's power to decide concerning the fate of Sforza and the possession of the Milanese. In return for these ample concessions, Clement gave the emperor the investiture of Naples without the reserve of any tribute but the present of a white steed in acknowledgment of his sovereignty, absolved all who had been concerned in assaulting and plundering Rome, and permitted Charles and his brother Ferdinand to levy the fourth of the ecclesiastical revenues throughout their dominions.[24]

The account of this transaction quickened the negotiations at Cambray, and brought Margaret and Louise to an immediate agreement. The treaty of Madrid served as the basis of that which they concluded ; the latter being intended to mitigate the rigour of the former. The chief articles were, that the

[23] P. Heuter., Rer. Austr., lib. x. c. 3, p. 133.—Mém. de Bellay, p. 122.

[24] Guic., lib. xix. 522.

emperor should not for the present demand the restitution of Burgundy, reserving, however, in full force his rights and pretensions to that duchy; that Francis should pay two millions of crowns as the ransom of his sons, and, before they were set at liberty, should restore such towns as he still held in the Milanese; that he should resign his pretensions to the sovereignty of Flanders and of Artois; that he should renounce all his pretensions to Naples, Milan, Genoa, and every other place beyond the Alps; that he should immediately consummate the marriage concluded between him and the emperor's sister Eleanora.[25]

Thus Francis, chiefly from his impatience to procure liberty to his sons, sacrificed everything which had at first prompted him to take arms, or which had induced him, by continuing hostilities during nine successive campaigns, to protract the war to a length hardly known in Europe before the establishment of standing armies and the imposition of exorbitant taxes became universal. The emperor, by this treaty, was rendered sole arbiter of the fate of Italy; he delivered his territories in the Netherlands from an unpleasant badge of subjection; and, after having baffled his rival in the field, he prescribed to him the conditions of peace. The different conduct and spirit with which the two monarchs carried on the operations of war led naturally to such an issue of it. Charles, inclined by temper as well as obliged by his situation, concerted all his schemes with caution, pursued them with perseverance, and, observing circumstances and events with attention, let none escape that could be improved to advantage. Francis, more enterprising than steady, undertook great designs with warmth, but often executed them with remissness, and, diverted by his pleasures or deceived by his favourites, he lost on several occasions the most promising opportunities of success. Nor had the character of the two rivals themselves greater influence on the operations of war than the opposite qualities of the generals whom they employed. Among the imperialists, valour tempered with prudence, fertility of invention, aided by experience, discernment to penetrate the designs of their enemies, a provident sagacity in conducting their own measures,—in a word, all the talents which form great commanders and insure victory,—were conspicuous. Among the French these qualities were either wanting, or the very reverse of them abounded; nor could they boast of one man (unless we except Lautrec, who was always unfortunate) that equalled the merit of Pescara, Leyva, Guasto, the prince of Orange, and other leaders, whom Charles had set in opposition to them. Bourbon, Morone, Doria, who by their abilities and conduct might have been capable of balancing the superiority which the imperialists had acquired, were induced to abandon the service of France, by the carelessness of the king and the malice or injustice of his counsellors; and the most fatal blows given to France during the progress of the war proceeded from the despair and resentment of these three persons.

The hard conditions to which Francis was obliged to submit were not the most afflicting circumstances to him in the treaty of Cambray. He lost his reputation, and the confidence of all Europe, by abandoning his allies to his rival. Unwilling to enter into the details necessary for adjusting their interests, or afraid that whatever he claimed for them must have been purchased by farther concessions on his own part, he gave them up in a body, and, without the least provision in their behalf, left the Venetians, the Florentines, the duke of Ferrara, together with such of the Neapolitan barons as had joined his army, to the mercy of the emperor. They exclaimed loudly against this base and perfidious action, of which Francis himself was so much ashamed

[25] P. Heuter., Rer. Austr., lib. x. c. 3, p. 234.—Sandoval, Hist. del Emper. Car. V., ii. 28.

that, in order to avoid the pain of hearing from their ambassadors the reproaches which he justly merited, it was some time before he would consent to allow them an audience. Charles, on the other hand, was attentive to the interest of every person who had adhered to him; the rights of some of his Flemish subjects who had estates or pretensions in France were secured; one article was inserted, obliging Francis to restore the blood and memory of the Constable Bourbon, and to grant his heirs the possession of his lands which had been forfeited; another, by which indemnification was stipulated for those French gentlemen who had accompanied Bourbon in his exile.[26] This conduct, laudable in itself, and placed in the most striking light by a comparison with that of Francis, gained Charles as much esteem as the success of his arms had acquired him glory.

Francis did not treat the king of England with the same neglect as his other allies. He communicated to him all the steps of his negotiation at Cambray, and luckily found that monarch in a situation which left him no choice but to approve implicitly of his measures and to concur with them. Henry had been soliciting the pope for some time in order to obtain a divorce from Catharine of Aragon, his queen. Several motives combined in prompting the king to urge his suit. As he was powerfully influenced at some seasons by religious considerations, he entertained many scruples concerning the legitimacy of his marriage with his brother's widow; his affections had long been estranged from the queen, who was older than himself, and had lost all the charms which she possessed in the earlier part of her life; he was passionately desirous of having male issue; Wolsey artfully fortified his scruples, and encouraged his hopes, that he might widen the breach between him and the emperor, Catharine's nephew; and, what was more forcible, perhaps, in its operation than all these united, the king had conceived a violent love for the celebrated Anne Boleyn, a young lady of great beauty, and of greater accomplishments, whom, as he found it impossible to gain her on other terms, he determined to raise to the throne. The papal authority had often been interposed to grant divorces for reasons less specious than those which Henry produced. When the matter was first proposed to Clement, during his imprisonment in the castle of St. Angelo, as his hopes of recovering liberty depended entirely on the king of England and his ally of France, he expressed the warmest inclination to gratify him. But no sooner was he set free than he discovered other sentiments. Charles, who espoused the protection of his aunt with zeal inflamed by resentment, alarmed the pope, on the one hand, with threats which made a deep impression on his timid mind, and allured him, on the other, with those promises in favour of his family which he afterwards accomplished. Upon the prospect of these, Clement not only forgot all his obligations to Henry, but ventured to endanger the interests of the Romish religion in England, and to run the risk of alienating that kingdom for ever from the obedience of the papal see. After amusing Henry during two years with all the subtleties and chicane which the court of Rome can so dexterously employ to protract or defeat any cause,—after displaying the whole extent of his ambiguous and deceitful policy, the intricacies of which the English historians, to whom it properly belongs, have found it no easy matter to trace and unravel,—he at last recalled the powers of the delegates whom he had appointed to judge in the point, avocated the cause to Rome, leaving the king no other hope of obtaining a divorce but from the personal decision of the pope himself. As Clement was now in strict alliance with the emperor, who had purchased his friendship by the exorbitant concessions which have been

[26] Guic., lib. xix. p. 525.—P. Heuter., Rer. Austr., lib. x. c. 4, p. 235.

mentioned, Henry despaired of procuring any sentence from the former but what was dictated by the latter. His honour, however, and passions concurred in preventing him from relinquishing his scheme of a divorce, which he determined to accomplish by other means, and at any rate; and the continuance of Francis's friendship being necessary to counterbalance the emperor's power, he, in order to secure that, not only offered no remonstrances against the total neglect of their allies in the treaty of Cambray, but made Francis the present of a large sum as a brotherly contribution towards the payment of the ransom for his sons.[27]

Soon after the treaty of peace was concluded, the emperor landed in Italy with a numerous train of the Spanish nobility and a considerable body of troops. He left the government of Spain, during his absence, to the empress Isabella. By his long residence in that country he had acquired such thorough knowledge of the character of the people that he could perfectly accommodate the maxims of his government to their genius. He could even assume, upon some occasions, such popular manners as gained wonderfully upon the Spaniards. A striking instance of his disposition to gratify them had occurred a few days before he embarked for Italy. He was to make his public entry into the city of Barcelona; and some doubts having arisen among the inhabitants whether they should receive him as emperor or as count of Barcelona, Charles instantly decided in favour of the latter, declaring that he was more proud of that ancient title than of his imperial crown. Soothed with this flattering expression of his regard, the citizens welcomed him with acclamations of joy; and the states of the province swore allegiance to his son Philip, as heir of the county of Barcelona. A similar oath had been taken in all the kingdoms of Spain, with equal satisfaction.[28]

The emperor appeared in Italy with the pomp and power of a conqueror. Ambassadors from all the princes and states of that country attended his court, waiting to receive his decision with regard to their fate. At Genoa, where he first landed, he was received with the acclamations due to the protector of their liberties. Having honoured Doria with many marks of distinction, and bestowed on the republic several new privileges, he proceeded to Bologna, the place fixed upon for his interview with the pope. He affected to unite in his public entry into that city the state and majesty that suited an emperor with the humility becoming an obedient son of the Church; and while at the head of twenty thousand veteran soldiers, able to give law to all Italy, he kneeled down to kiss the feet of that very pope whom he had so lately detained a prisoner. The Italians, after suffering so much from the ferocity and licentiousness of his armies, and after having been long accustomed to form in their imagination a picture of Charles which bore some resemblance to that of the barbarous monarchs of the Goths or Huns, who had formerly afflicted their country with like calamities, were surprised to see a prince of a graceful appearance, affable and courteous in his deportment, of regular manners, and of exemplary attention to all the offices of religion.[29] They were still more astonished when he settled all the concerns of the princes and states which now depended on him with a degree of moderation and equity much beyond what they had expected.

Charles himself, when he set out from Spain, far from intending to give any such extraordinary proof of his self-denial, seems to have been resolved to avail himself to the utmost of the superiority which he had acquired in Italy. But various circumstances concurred in pointing out the necessity of pursuing

[27] Herbert.—Mém. de Bellay, 122.
[28] Sandoval, ii. p. 50.—Ferreras, ix. 116.
[29] Sandoval, Hist. del Emp. Carl. V., ii. 50, 53, etc.

a very different course. The progress of the Turkish sultan, who, after overrunning Hungary, had penetrated into Austria and laid siege to Vienna with an army of a hundred and fifty thousand men, loudly called upon him to collect his whole force to oppose that torrent; and though the valour of the Germans, the prudent conduct of Ferdinand, together with the treachery of the vizier, soon obliged Solyman to abandon that enterprise with disgrace and loss, the religious disorders still growing in Germany rendered the presence of the emperor highly necessary there.[30] The Florentines, instead of giving their consent to the re-establishment of the Medici, which by the treaty of Barcelona the emperor had bound himself to procure, were prepared to defend their liberty by force of arms; the preparations for this journey had involved him in unusual expenses; and on this, as well as many other occasions, the multiplicity of his affairs, together with the narrowness of his revenues, obliged him to contract the schemes which his boundless ambition was apt to form, and to forego present and certain advantages that he might guard against more remote but unavoidable dangers. Charles, from all these considerations, finding it necessary to assume an air of moderation, acted his part with a good grace. He admitted Sforza into his presence, and not only gave him a full pardon of all past offences, but granted him the investiture of the duchy, together with his niece, the king of Denmark's daughter, in marriage. He allowed the duke of Ferrara to keep possession of all his dominions, adjusting the points in dispute between him and the pope with an impartiality not very agreeable to the latter. He came to a final accommodation with the Venetians, upon the reasonable condition of their restoring whatever they had usurped during the late war, either in the Neapolitan or papal territories. In return for so many concessions, he exacted considerable sums from each of the powers with whom he treated, which they paid without reluctance, and which afforded him the means of proceeding on his journey towards Germany with a magnificence suitable to his dignity.[31]

These treaties, which restored tranquillity to Italy after a tedious war, the calamities of which had chiefly affected that country, were published at Bologna with great solemnity on the first day of the year 1530, amidst the universal acclamations of the people; applauding the emperor, to whose moderation and generosity they ascribed the blessings of peace which they had so long desired. The Florentines alone did not partake of this general joy. Animated with a zeal for liberty more laudable than prudent, they determined to oppose the restoration of the Medici. The imperial army had already entered their territories and formed the siege of their capital. But though deserted by all their allies, and left without any hope of succour, they defended themselves many months with an obstinate valour worthy of better success; and even when they surrendered they obtained a capitulation which gave them hopes of securing some remains of their liberty. But the emperor, from his desire to gratify the pope, frustrated all their expectations, and, abolishing their ancient form of government, raised Alexander de' Medici to the same absolute dominion over that state which his family have retained to the present times. Philibert de Châlons, prince of Orange, the imperial general, was killed during this siege. His estate and titles descended to his sister, Claude de Châlons, who was married to René, count of Nassau; and she transmitted to her posterity of the house of Nassau the title of princes of Orange, which by their superior talents and valour they have rendered so illustrious.[32]

After the publication of the peace at Bologna, and the ceremony of his

[30] Sleidan., 121.—Guic., lib. xx. 550.
[31] Sandoval, ii. 55, etc.
[32] Guic., lib. xx. p. 341, etc.—P. Heuter., Rer. Austr., lib. ii. c. 4, p. 236.

coronation as king of Lombardy and emperor of the Romans, which the pope performed with the accustomed formalities, nothing detained Charles in Italy;[33] and he began to prepare for his journey to Germany. His presence became every day more necessary in that country, and was solicited with equal importunity by the Catholics and by the favourers of the new doctrines. During that long interval of tranquillity which the absence of the emperor, the contests between him and the pope, and his attention to the war with France afforded them, the latter gained much ground. Most of the princes who had embraced Luther's opinions had not only established in their territories that form of worship which he approved, but had entirely suppressed the rites of the Romish Church. Many of the free cities had imitated their conduct. Almost one-half of the Germanic body had revolted from the papal see; and its authority, even in those provinces which had not hitherto shaken off the yoke, was considerably weakened, partly by the example of revolt in the neighbouring states, partly by the secret progress of the Reformed doctrine, even in those countries where it was not openly embraced. Whatever satisfaction the emperor, while he was at open enmity with the see of Rome, might have felt in those events which tended to mortify and embarrass the pope, he could not help perceiving now that the religious divisions in German would, in the end, prove extremely hurtful to the imperial authority. The weakness of former emperors had suffered the great vassals of the empire to make such successful encroachments upon their power and prerogative that during the whole course of the war, which had often required the exertion of his utmost strength, Charles hardly drew any effectual aid from Germany, and found that magnificent titles or obsolete pretensions were almost the only advantages which he had gained by swaying the imperial sceptre. He became fully sensible that if he did not recover in some degree the prerogatives which his predecessors had lost, and acquire the authority as well as possess the name of head of the empire, his high dignity would contribute more to obstruct than to promote his ambitious schemes. Nothing, he saw, was more essential towards attaining this than to suppress opinions which might form new bonds of confederacy among the princes of the empire and unite them by ties stronger and more sacred than any political connection. Nothing seemed to lead more certainly to the accomplishments of his design than to employ zeal for the established religion, of which he was the natural protector, as the instrument of extending his civil authority.

Accordingly, a prospect no sooner opened of coming to an accommodation with the pope than, by the emperor's appointment, a diet of the empire was held at Spires, in order to take into consideration the state of religion. The decree of the diet assembled there in the year 1526, which was almost equivalent to a toleration of Luther's opinions, had given great offence to the rest of Christendom. The greatest delicacy of address, however, was requisite in proceeding to any decision more rigorous. The minds of men, kept in perpetual agitation by a controversy carried on during twelve years without intermission of debate or abatement of zeal, were now inflamed to a high degree. They were accustomed to innovations, and saw the boldest of them successful. Having not only abolished old rites, but substituted new forms in their place, they were influenced as much by attachment to the system which they had embraced as by aversion to that which they had abandoned. Luther himself, of a spirit not to be worn out by the length and obstinacy of the combat or to become remiss upon success, continued the attack with as much vigour as he had begun it. His disciples, of whom many equalled him in zeal and some

[33] H. Cornel. Agrippa de duplici coronatione Car. V., ap. Scard., ii. 226.

surpassed him in learning, were no less capable than their master to conduct the controversy in the properest manner. Many of the laity, some even of the princes, trained up amidst these incessant disputations, and in the habit of listening to the arguments of the contending parties, who alternately appealed to them as judges, came to be profoundly skilled in all the questions which were agitated, and, upon occasion, could show themselves not inexpert in any of the arts with which these theological encounters were managed. It was obvious from all these circumstances that any violent decision of the diet must have immediately precipitated matters into confusion and have kindled in Germany the flames of a religious war. All, therefore, that the archduke, and the other commissioners appointed by the emperor, demanded of the diet, was to enjoin those states of the empire which had hitherto obeyed the decree issued against Luther at Worms, in the year 1524, to per evere in the observation of it, and to prohibit the other states from attempting any further innovation in religion, particularly from abolishing the mass, before the meeting of a general council. After much dispute, a decree to that effect was approved of by a majority of voices.[34] [1529.]

The elector of Saxony, the marquis of Brandenburg, the landgrave of Hesse, the dukes of Lunenburg, the prince of Anhalt, together with the deputies of fourteen imperial or free cities,[35] entered a solemn protest against this decree, as unjust and impious. On that account they were distinguished by the name of PROTESTANTS,[36] an appellation which hath since become better known and more honourable by its being applied indiscriminately to all the sects, of whatever denomination, which have revolted from the Roman see. Not satisfied with this declaration of their dissent from the decree of the diet, the Protestants sent ambassadors into Italy to lay their grievances before the emperor; from whom they met with the most discouraging reception. Charles was at that time in close union with the pope, and solicitous to attach him inviolably to his interests. During their long residence at Bologna they held many consultations concerning the most effectual means of extirpating the heresies which had sprung up in Germany. Clement, whose cautious and timid mind the proposal of a general council filled with horror even beyond what popes, the constant enemies of such assemblies, usually feel, employed every argument to dissuade the emperor from consenting to that measure. He represented general councils as factious, ungovernable, presumptuous, formidable to civil authority, and too slow in their operations to remedy disorders which required an immediate cure. Experience, he said, had now taught both the emperor and himself that forbearance and lenity, instead of soothing the spirit of innovation, had rendered it more enterprising and presumptuous: it was necessary, therefore, to have recourse to the rigorous methods which such a desperate case required; Leo's sentence of excommunication, together with the decree of the diet at Worms, should be carried into execution; and it was incumbent on the emperor to employ his whole power in order to overawe those on whom the reverence due either to ecclesiastical or civil authority had no longer any influence. Charles, whose views were very different from the pope's, and who became daily more sensible how obstinate and deep-rooted the evil was, thought of reconciling the Protestants by means less violent, and considered the convocation of a council as no improper expedient for that purpose, but promised, if gentler arts failed of

[34] Sleid., Hist., 117.

[35] The fourteen cities were Strasburg, Nuremberg, Ulm, Constance, Reutlingen, Windsheim, Meiningen, Lindau, Kempten, Heilbronn, Isna, Weissemburg, Nordlingen, and St. Gall.

[36] Sleid., Hist., 119.—F. Paul, Hist., p. 45.—Seckend., ii. 127.

success, that then he would exert himself with rigour to reduce to the obedience of the holy see those stubborn enemies of the Catholic faith.[37]

Such were the sentiments with which the emperor set out for Germany, having already appointed a diet of the empire to be held at Augsburg. In his journey towards that city he had many opportunities of observing the disposition of the Germans with regard to the points in controversy, and found their minds everywhere so much irritated and inflamed as convinced him that nothing tending to severity or rigour ought to be attempted until all other measures proved ineffectual. He made his public entry into Augsburg with extraordinary pomp, and found there such a full assembly of the members of the diet as was suitable both to the importance of the affairs which were to come under their consideration, and to the honour of an emperor who, after a long absence, returned to them crowned with reputation and success. His presence seems to have communicated to all parties an unusual spirit of moderation and desire of peace. The elector of Saxony would not permit Luther to accompany him to the diet, lest he should offend the emperor by bringing into his presence a person excommunicated by the pope, and who had been the author of all those dissensions which it now appeared so difficult to compose. At the emperor's desire, all the Protestant princes forbade the divines who accompanied them to preach in public during their residence at Augsburg. For the same reason, they employed Melancthon, the man of the greatest learning as well as of the most pacific and gentle spirit among the Reformers, to draw up a confession of their faith, expressed in terms as little offensive to the Roman Catholics as a regard for truth would permit. Melancthon, who seldom suffered the rancour of controversy to envenom his style, even in writings purely polemical, executed a task so agreeable to his natural disposition with great moderation and address. The creed which he composed, known by the name of the *Confession of Augsburg*, from the place where it was presented, was read publicly in the diet. Some popish divines were appointed to examine it; they brought in their animadversions; a dispute ensued between them and Melancthon, seconded by some of his brethren; but though Melancthon softened some articles, made concessions with regard to others, and put the least exceptionable sense upon all,—though the emperor himself laboured with great earnestness to reconcile the contending parties,—so many marks of distinction were now established, and such insuperable barriers placed between the two churches, that all hopes of bringing about a coalition seemed utterly desperate.[38]

From the divines, among whom his endeavours had been so unsuccessful, Charles turned to the princes their patrons. Nor did he find them, how desirous soever of accommodation, or willing to oblige the emperor, more disposed than the former to renounce their opinions. At that time, zeal for religion took possession of the minds of men to a degree which can scarcely be conceived by those who live in an age when the passions excited by the first manifestation of truth and the first recovery of liberty have in a great measure ceased to operate. This zeal was then of such strength as to overcome attachment to their political interests, which is commonly the predominant motive among princes. The elector of Saxony, the landgrave of Hesse, and other chiefs of the Protestants, though solicited separately by the emperor, and allured by the promise or prospect of those advantages which

[37] F. Paul, xlvii. — Seck., lib. ii. 142. — Hist. de la Confess. d'Augsburg, par D. Chytræus, 4to, Antw., 1572, p. 6.

[38] Seckend., lib. ii. 159, etc.—Abr. Scultetı Annales Evangelici, ap. Herm. Von der Hard., Hist. Liter. Reform., Lips., 1717, fol., p. 159.

it was known they were more solicitous to attain, refused, with a fortitude highly worthy of imitation, to abandon what they deemed the cause of God, for the sake of any earthly acquisition.[39]

Every scheme in order to gain or disunite the Protestant party proving abortive, nothing now remained for the emperor but to take some vigorous measures towards asserting the doctrines and authority of the established Church. These, Campeggio, the papal nuncio, had always recommended as the only proper and effectual course of dealing with such obstinate heretics. In compliance with his opinions and remonstrances, the diet issued a decree condemning most of the peculiar tenets held by the Protestants, forbidding any person to protect or tolerate such as taught them, enjoining a strict observance of the established rites, and prohibiting any further innovation, under severe penalties. All orders of men were required to assist with their persons and fortunes in carrying this decree into execution; and such as refused to obey it were declared incapable of acting as judges, or of appearing as parties in the imperial chamber, the supreme court of judicature in the empire. To all which was subjoined a promise that an application should be made to the pope requiring him to call a general council within six months, in order to terminate all controversies by its sovereign decisions.[40]

The severity of this decree, which was considered as a prelude to the most violent persecution, alarmed the Protestants and convinced them that the emperor was resolved on their destruction. The dread of those calamities which were ready to fall on the Church oppressed the feeble spirit of Melancthon, and, as if the cause had already been desperate, he gave himself up to melancholy and lamentation. But Luther, who during the meeting of the diet had endeavoured to confirm and animate his party by several treatises which he addressed to them, was not disconcerted or dismayed at the prospect of this new danger. He comforted Melancthon and his other desponding disciples, and exhorted the princes not to abandon those truths which they had lately asserted with such laudable boldness.[41] His exhortations made the deeper impression upon them as they were greatly alarmed at that time by the account of a combination among the popish princes of the empire for the maintenance of the established religion, to which Charles himself had acceded.[42] This convinced them that it was necessary to stand on their guard, and that their own safety, as well as the success of their cause, depended on union. Filled with this dread of the adverse party, and with these sentiments concerning the conduct proper for themselves, they assembled at Smalkalde. There they concluded a league of mutual defence against all aggressors,[43] by which they formed the Protestant states of the empire into one regular body, and, beginning already to consider themselves as such, they resolved to apply to the kings of France and England and to implore them to patronize and assist their new confederacy.

An affair not connected with religion furnished them with a pretence for courting the aid of foreign princes. Charles, whose ambitious views enlarged in proportion to the increase of his power and grandeur, had formed a scheme of continuing the imperial crown in his family, by procuring his brother Ferdinand to be elected king of the Romans. The present juncture was favourable for the execution of that design. The emperor's arms had been everywhere victorious; he had given law to all Europe at the late peace; no rival now remained in a condition to balance or to control him; and the

[39] Sleid., 132.—Scultet., Annal., 158.
[40] Sleid., 139.
[41] Seck., ii. 180.—Sleid., 140.
[42] Seck., ii. 200; iii. 11.
[43] Sleid., 142.

electors, dazzled with the splendour of his success, or overawed by the greatness of his power, durst scarcely dispute the will of a prince whose solicitations carried with them the authority of commands. Nor did he want plausible reasons to enforce the measure. The affairs of his other kingdoms, he said, obliged him to be often absent from Germany; the growing disorders occasioned by the controversies about religion, as well as the formidable neighbourhood of the Turks, who continually threatened to break in with their desolating armies into the heart of the empire, required the constant presence of a prince endowed with prudence capable of composing the former, and with power as well as valour sufficient to repel the latter. His brother Ferdinand possessed these qualities in an eminent degree; by residing long in Germany, he had acquired a thorough knowledge of its constitution and manners; having been present almost from the first rise of the religious dissensions, he knew what remedies were most proper, what the Germans could bear, and how to apply them; as his own dominions lay on the Turkish frontier, he was the natural defender of Germany against the invasions of the infidels, being prompted by interest no less than he would be bound in duty to oppose them.

These arguments made little impression on the Protestants. Experience taught them that nothing had contributed more to the undisturbed progress of their opinions than the interregnum after Maximilian's death, the long absence of Charles, and the slackness of the reins of government which these occasioned. Conscious of the advantages which their cause had derived from this relaxation of government, they were unwilling to render it more vigorous by giving themselves a new and a fixed master. They perceived clearly the extent of Charles's ambition, that he aimed at rendering the imperial crown hereditary in his family, and would of course establish in the empire an absolute dominion, to which elective princes could not have aspired with equal facility. They determined, therefore, to oppose the election of Ferdinand with the utmost vigour, and to rouse their countrymen, by their example and exhortations, to withstand this encroachment on their liberties. The elector of Saxony, accordingly, not only refused to be present at the electoral college which the emperor summoned to meet at Cologne, but instructed his eldest son to appear there and to protest against the election as informal, illegal, contrary to the articles of the golden bull, and subversive of the liberties of the empire. But the other electors, whom Charles had been at great pains to gain, without regarding either his absence or protest, chose Ferdinand king of the Romans, who, a few days after, was crowned at Aix-la-Chapelle.[44]

When the Protestants, who were assembled a second time at Smalkalde, received an account of this transaction, and heard at the same time that prosecutions were commenced in the imperial chamber against some of their number on account of their religious principles, they thought it necessary not only to renew their former confederacy, but immediately to despatch their ambassadors into France and England. Francis had observed with all the jealousy of a rival the reputation which the emperor had acquired by his seeming disinterestedness and moderation in settling the affairs in Italy, and beheld with great concern the successful step which he had taken towards perpetuating and extending his authority in Germany by the election of a king of the Romans. Nothing, however, would have been more impolitic than to precipitate his kingdom into a new war, when exhausted by extraordinary efforts and discouraged by ill success, before it had got time to recruit its strength or to forget past misfortunes. As no provocation had been given by the emperor, and hardly a pretext for a rupture had been

[44] Sleid., 142.—Seck., iii. 1.—P. Heuter., Rer. Austr., lib. x. c. 6, p. 240.

afforded him, he could not violate a treaty of peace which he himself had so lately solicited, without forfeiting the esteem of all Europe and being detested as a prince void of probity and honour. He observed with great joy powerful factions beginning to form in the empire; he listened with the utmost eagerness to the complaints of the Protestant princes, and, without seeming to countenance their religious opinions, determined secretly to cherish those sparks of political discord which might be afterwards kindled into a flame. For this purpose he sent William de Bellay, one of the ablest negotiators in France, into Germany, who, visiting the courts of the malecontent princes, and heightening their ill humour by various arts, concluded an alliance between them and his master,[45] which, though concealed at that time, and productive of no immediate effects, laid the foundation of a union fatal on many occasions to Charles's ambitious projects, and showed the discontented princes of Germany where, for the future, they might find a protector no less able than willing to undertake their defence against the encroachments of the emperor.

The king of England, highly incensed against Charles, in complaisance to whom the pope had long retarded and now openly opposed his divorce, was no less disposed than Francis to strengthen a league which might be rendered so formidable to the emperor. But his favourite project of the divorce led him into such a labyrinth of schemes and negotiations, and he was at the same time so intent on abolishing the papal jurisdiction in England, that he had no leisure for foreign affairs. This obliged him to rest satisfied with giving general promises, together with a small supply in money, to the confederates of Smalkalde.[46]

Meanwhile, many circumstances convinced Charles that this was not a juncture when the extirpation of heresy was to be attempted by violence and rigour; that, in compliance with the pope's inclinations, he had already proceeded with imprudent precipitation; and that it was more his interest to consolidate Germany into one united and vigorous body than to divide and enfeeble it by a civil war. The Protestants, who were considerable as well by their numbers as by their zeal, had acquired additional weight and importance by their joining in that confederacy into which the rash steps taken at Augsburg had forced them. Having now discovered their own strength, they despised the decisions of the imperial chamber, and, being secure of foreign protection, were ready to set the head of the empire at defiance. At the same time, the peace with France was precarious, the friendship of an irresolute and interested pontiff was not to be relied on, and Solyman, in order to repair the discredit and loss which his arms had sustained in the former campaign, was preparing to enter Austria with more numerous forces. On all these accounts, especially the last, a speedy accommodation with the malecontent princes became necessary, not only for the accomplishment of his future schemes, but for insuring his present safety. Negotiations were accordingly carried on by his direction with the elector of Saxony and his associates. After many delays, occasioned by their jealousy of the emperor and of each other,—after innumerable difficulties arising from the inflexible nature of religious tenets, which cannot admit of being altered, modified, or relinquished in the same manner as points of political interest,—terms of pacification were agred upon at Nuremberg and ratified solemnly in the diet at Ratisbon. In this treaty it was stipulated that universal peace be established in Germany until the meeting of a general council, the convocation of which within six months the emperor shall endeavour to procure; that no person shall be

[45] Mém. de Bellay, 129 a, 130 b.—Seck., iii. 14. [46] Herbert, 152, 154.

molested on account of religion; that a stop shall be put to all processes begun by the imperial chamber against Protestants, and the sentences already passed to their detriment shall be declared void. On their part, the Protestants engaged to assist the emperor with all their forces in resisting the invasion of the Turks.[47] Thus, by their firmness in adhering to their principles, by the unanimity with which they urged all their claims, and by their dexterity in availing themselves of the emperor's situation, the Protestants obtained terms which amounted almost to a toleration of their religion; all the concessions were made by Charles, none by them; even the favourite point of their approving his brother's election was not mentioned; and the Protestants of Germany, who had hitherto been viewed only as a religious sect, came henceforth to be considered as a political body of no small consequence.[48]

The intelligence which Charles received of Solyman's having entered Hungary at the head of three hundred thousand men brought the deliberations of the diet at Ratisbon to a period, the contingent both of troops and money which each prince was to furnish towards the defence of the empire having been already settled. The Protestants, as a testimony of their gratitude to the emperor, exerted themselves with extraordinary zeal, and brought into the field forces which exceeded in number the quota imposed on them; and, the Catholics imitating their example, one of the greatest and best-appointed armies that had ever been levied in Germany assembled near Vienna. Being joined by a body of Spanish and Italian veterans under the marquis del Guasto, by some heavy-armed cavalry from the Low Countries, and by the troops which Ferdinand had raised in Bohemia, Austria, and his other territories, it amounted in all to ninety thousand disciplined foot and thirty thousand horse, besides a prodigious swarm of irregulars. Of this vast army, worthy the first prince in Christendom, the emperor took the command in person, and mankind waited in suspense the issue of a decisive battle between the two greatest monarchs in the world. But, each of them dreading the other's power and good fortune, they both conducted their operations with such excessive caution that a campaign for which such immense preparations had been made ended without any memorable event. Solyman, finding it impossible to gain ground upon an enemy always attentive and on his guard, marched back to Constantinople towards the end of autumn.[49] It is remarkable that, in such a martial age, when every gentleman was a soldier and every prince a general, this was the first time that Charles, who had already carried on such extensive wars and gained so many victories, appeared at the head of his troops. In this first essay of his arms, to have opposed such a leader as Solyman was no small honour; to have obliged him to retreat, merited very considerable praise.

About the beginning of this campaign, the elector of Saxony died, and was succeeded by his son, John Frederick. The Reformation rather gained than lost by that event: the new elector, no less attached than his predecessors to the opinions of Luther, occupied the station which they had held at the head of the Protestant party, and defended with the boldness and zeal of youth that cause which they had fostered and reared with the caution of more advanced age.

Immediately after the retreat of the Turks, Charles, impatient to revisit Spain, set out on his way thither, for Italy. As he was extremely desirous of an interview with the pope, they met a second time at Bologna, with the same

[47] Du Mont, Corps Diplomatique, tom. iv. part. ii. 87, 89.

[48] Sleid., 149, etc.—Seck., iii. 19.

[49] Jovii Hist., lib. xxx. p. 100, etc.—Barre, Hist. de l'Empire, i. 8, 647.

external demonstrations of respect and friendship, but with little of that confidence which had subsisted between them during their late negotiations there. Clement was much dissatisfied with the emperor's proceedings at Augsburg, his concessions with regard to the speedy convocation of a council having more than cancelled all the merit of the severe decree against the doctrines of the Reformers. The toleration granted to the Protestants at Ratisbon, and the more explicit promise concerning a council with which it was accompanied, had irritated him still farther. Charles, however, partly from conviction that the meeting of a council would be attended with salutary effects, and partly from his desire to please the Germans, having solicited the pope by his ambassadors to call that assembly without delay, and now urging the same thing in person, Clement was greatly embarrassed what reply he should make to a request which it was indecent to refuse and dangerous to grant. He endeavoured at first to divert Charles from the measure; but, finding him inflexible, he had recourse to artifices which he knew would delay, if not entirely defeat, the calling of that assembly. Under the plausible pretext of its being previously necessary to settle, with all parties concerned, the place of the council's meeting, the manner of its proceedings, the right of the persons who should be admitted to vote, and the authority of their decisions, he despatched a nuncio, accompanied by an ambassador from the emperor, to the elector of Saxony, as head of the Protestants. With regard to each of these articles, inextricable difficulties and contests arose. The Protestants demanded a council to be held in Germany; the pope insisted that it should meet in Italy: they contended that all points in dispute should be determined by the words of Holy Scripture alone; he considered not only the decrees of the Church, but the opinions of fathers and doctors, as of equal authority: they required a free council, in which the divines, commissioned by different churches, should be allowed a voice; he aimed at modelling the council in such a manner as would render it entirely dependent on his pleasure. Above all, the Protestants thought it unreasonable that they should bind themselves to submit to the decrees of a council before they knew on what principles these decrees were to be founded, by what persons they were to be pronounced, and what forms of proceeding they would observe. The pope maintained it to be altogether unnecessary to call a council if those who demanded it did not previously declare their resolution to acquiesce in its decrees. In order to adjust such a variety of points, many expedients were proposed, and the negotiations spun out to such a length as effectually answered Clement's purpose of putting off the meeting of a council, without drawing on himself the whole infamy of obstructing a measure which all Europe deemed so essential to the good of the Church.[50]

Together with this negotiation about calling a council, the emperor carried on another, which he had still more at heart, for securing the peace established in Italy. As Francis had renounced his pretensions in that country with great reluctance, Charles made no doubt but that he would lay hold on the first pretext afforded him, or embrace the first opportunity which presented itself, of recovering what he had lost. It became necessary, on this account, to take measures for assembling an army able to oppose him. As his treasury, drained by a long war, could not supply the sums requisite for keeping such a body constantly on foot, he attempted to throw that burden on his allies, and to provide for the safety of his own dominions at their expense, by proposing that the Italian states should enter into a league of defence against all invaders; that on the first appearance of danger an army should be raised and maintained at the common charge; and that Antonio de Leyva should be

[50] F. Paul, Hist., 62.—Seckend., iii. 73.

appointed the generalissimo. Nor was the proposal unacceptable to Clement, though for a reason very different from that which induced the emperor to make it. He hoped by this expedient to deliver Italy from the German and Spanish veterans, which had so long filled all the powers in that country with terror, and still kept them in subjection to the imperial yoke. A league was accordingly concluded; all the Italian states, the Venetians excepted, acceded to it; the sum which each of the contracting parties should furnish towards maintaining the army was fixed; the emperor agreed to withdraw the troops which gave so much umbrage to his allies, and which he was unable any longer to support. Having disbanded part of them, and removed the rest to Sicily and Spain, he embarked on board Doria's galleys and arrived at Barcelona.[51]

Notwithstanding all his precautions for securing the peace of Germany and maintaining that system which he had established in Italy, the emperor became every day more and more apprehensive that both would be soon disturbed by the intrigues or arms of the French king. His apprehensions were well founded, as nothing but the desperate situation of his affairs could have brought Francis to give his consent to a treaty so dishonourable and disadvantageous as that of Cambray. He, at the very time of ratifying it, had formed a resolution to observe it no longer than necessity compelled him, and took a solemn protest, though with the most profound secrecy, against several articles in the treaty, particularly that whereby he renounced all pretensions to the duchy of Milan, as unjust, injurious to his heirs, and invalid. One of the crown lawyers, by his command, entered a protest to the same purpose, and with the like secrecy, when the ratification of the treaty was registered in the parliament of Paris.[52] Francis seems to have thought that by employing an artifice unworthy of a king, destructive of public faith, and of the mutual confidence on which all transactions between nations are founded, he was released from any obligation to perform the most solemn promises or to adhere to the most sacred engagements. From the moment he concluded the peace of Cambray, he wished and watched for an opportunity of violating it with safety. He endeavoured for that reason to strengthen his alliance with the king of England, whose friendship he cultivated with the greatest assiduity. He put the military force of his own kingdom on a better and more respectable footing than ever. He artfully fomented the jealousy and discontent of the German princes.[52]

But above all Francis laboured to break the strict confederacy which subsisted between Charles and Clement; and he had soon the satisfaction to observe appearances of disgust and alienation arising in the mind of that suspicious and interested pontiff, which gave him hopes that their union would not be lasting. As the emperor's decision in favour of the duke of Ferrara had greatly irritated the pope, Francis aggravated the injustice of that proceeding, and flattered Clement that the papal see would find in him a more impartial and no less powerful protector. As the importunity with which Charles demanded a council was extremely offensive to the pope, Francis artfully created obstacles to prevent it, and attempted to divert the German princes, his allies, from insisting so obstinately on that point.[53] As the emperor had gained such an ascendant over Clement by contributing to aggrandize his family, Francis endeavoured to allure him by the same irresistible bait, proposing a marriage between his second son, Henry, duke of Orleans, and

[51] Guic., lib. xx. 551.—Ferreras, ix. 149.
[52] Du Mont, Corps Diplom., tom. iv. part. ii. p. 52.
[53] Mém. de Bellay, 141, etc.—Seck., iii. 48. —F. Paul, 63.

Catharine, the daughter of the pope's cousin, Laurence de' Medici. On the first overture of this match, the emperor could not persuade himself that Francis really intended to debase the royal blood of France by an alliance with Catharine, whose ancestors had been so lately private citizens and merchants in Florence, and believed that he meant only to flatter or amuse the ambitious pontiff. He thought it necessary, however, to efface the impression which such a dazzling offer might have made, by promising to break off the marriage which had been agreed on between his own niece, the king of Denmark's daughter, and the duke of Milan, and to substitute Catharine in her place. But, the French ambassador producing unexpectedly full powers to conclude the marriage-treaty with the duke of Orleans, this expedient had no effect. Clement was so highly pleased with an honour which added such lustre and dignity to the house of Medici that he offered to grant Catharine the investiture of considerable territories in Italy, by way of portion; he seemed ready to support Francis in prosecuting his ancient claims in that country, and consented to a personal interview with that monarch.[54]

Charles was at the utmost pains to prevent a meeting in which nothing was likely to pass but what would be of detriment to him; nor could he bear, after he had twice condescended to visit the pope in his own territories, that Clement should bestow such a mark of distinction on his rival as to venture on a voyage by sea, at an unfavourable season, in order to pay court to Francis in the French dominions. But the pope's eagerness to accomplish the match overcame all the scruples of pride, or fear, or jealousy, which would have probably influenced him on any other occasion. The interview, notwithstanding several artifices of the emperor to prevent it, took place at Marseilles, with extraordinary pomp, and demonstrations of confidence on both sides; and the marriage, which the ambition and abilities of Catharine rendered in the sequel as pernicious to France as it was then thought dishonourable, was consummated. But whatever schemes may have been secretly concerted by the pope and Francis in favour of the duke of Orleans, to whom his father proposed to make over all his rights in Italy, so careful were they to avoid giving any cause of offence to the emperor that no treaty was concluded between them;[55] and even in the marriage-articles Catharine renounced all claims and pretensions in Italy, except to the duchy of Urbino.[56]

But at the very time when he was carrying on these negotiations, and forming this connection with Francis, which gave so great umbrage to the emperor, such was the artifice and duplicity of Clement's character that he suffered the latter to direct all his proceedings with regard to the king of England, and was no less attentive to gratify him in that particular than if the most cordial union had subsisted between them. Henry's suit for a divorce had now continued near six years; during all which period the pope negotiated, promised, retracted, and concluded nothing. After bearing repeated delays and disappointments longer than could have been expected from a prince of such a choleric and impetuous temper, the patience of Henry was at last so much exhausted that he applied to another tribunal for that decree which he had solicited in vain at Rome. Cranmer, archbishop of Canterbury, by a sentence founded on the authority of universities, doctors, and rabbies, who had been consulted with respect to the point, annulled the king's marriage with Catharine; her daughter was declared illegitimate, and Anne Boleyn acknowledged as queen of England. At the same time, Henry began not only to neglect and to threaten the pope, whom he had hitherto courted, but to make

[54] Guic., lib. xx. 551, 553.—Mém. de Bellay, 138.

[55] Guic., lib. xx. 555.

[56] Du Mont, Corps Diplom., iv. part. ii. 101.

innovations in the Church of which he had formerly been such a zealous defender. Clement, who had already seen so many provinces and kingdoms revolt from the Holy See, became apprehensive at last that England might imitate their example, and, partly from his solicitude to prevent that fatal blow, partly in compliance with the French king's solicitations, determined to give Henry such satisfaction as might retain him within the bosom of the Church. But the violence of the cardinals, devoted to the emperor, did not allow the pope leisure for executing this prudent resolution, and hurried him, with a precipitation fatal to the Roman see, to issue a bull rescinding Cranmer's sentence, confirming Henry's marriage with Catharine, and declaring him excommunicated if within a time specified he did not abandon the wife he had taken and return to her whom he had deserted. Enraged at this unexpected decree, Henry kept no longer any measures with the court of Rome; his subjects seconded his resentment and indignation; an act of parliament was passed abolishing the papal power and jurisdiction in England; by another, the king was declared supreme head of the Church, and all the authority of which the popes were deprived was vested in him. That vast fabric of ecclesiastical dominion which had been raised with such art, and of which the foundations seemed to have been laid so deep, being no longer supported by the veneration of the people, was overturned in a moment. Henry himself, with the caprice peculiar to his character, continued to defend the doctrines of the Romish Church as fiercely as he attacked its jurisdiction. He alternately persecuted the Protestants for rejecting the former, and the Catholics for acknowledging the latter. But his subjects, being once permitted to enter into new paths, did not choose to stop short at the precise point prescribed by him. Having been encouraged by his example to break some of their fetters, they were so impatient to shake off what still remained[57] that in the following reign, with the applause of the greater part of the nation, a total separation was made from the Church of Rome in articles of doctrine, as well as in matters of discipline and jurisdiction.

A short delay might have saved the see of Rome from all the unhappy consequences of Clement's rashness. Soon after his sentence against Henry, he fell into a languishing distemper, which, gradually wasting his constitution, put an end to his pontificate, the most unfortunate, both during its continuance and by its effects, that the Church had known for many ages. The very day on which the cardinals entered the conclave, they raised to the papal throne Alexander Farnese, dean of the sacred college, and the oldest member of that body, who assumed the name of Paul III. The account of his promotion was received with extraordinary acclamations of joy by the people of Rome, highly pleased, after an interval of more than a hundred years, to see the crown of St. Peter placed on the head of a Roman citizen. Persons more capable of judging formed a favourable presage of his administration, from the experience which he had acquired under four pontificates, as well as the character of prudence and moderation which he had uniformly maintained in a station of great eminence, and during an active period, that required both talents and address.[58]

Europe, it is probable, owed the continuance of its peace to the death of Clement; for, although no traces remain in history of any league concluded between him and Francis, it is scarcely to be doubted but that he would have seconded the operations of the French arms in Italy, that he might have gratified his ambition by seeing one of his family possessed of the supreme power in Florence, and another in Milan. But upon the election of Paul III.,

[57] Herbert.—Burnet, Hist. of Reform.

[58] Guic., lib. xx. 556.—F. Paul, 64.

who had hitherto adhered uniformly to the imperial interest, Francis found it necessary to suspend his operations for some time, and to put off the commencement of hostilities against the emperor, on which, before the death of Clement, he had been fully determined.

While Francis waited for an opportunity to renew a war which had hitherto proved so fatal to himself and his subjects, a transaction of a very singular nature was carried on in Germany. Among many beneficial and salutary effects of which the Reformation was the immediate cause, it was attended, as must be the case in all actions and events wherein men are concerned, with some consequences of an opposite nature. When the human mind is roused by grand objects and agitated by strong passions, its operations acquire such force that they are apt to become irregular and extravagant. Upon any great revolution in religion, such irregularities abound most at that particular period when men, having thrown off the authority of their ancient principles, do not yet fully comprehend the nature or feel the obligation of those new tenets which they have embraced. The mind, in that situation, pushing forward with the boldness which prompted it to reject established opinions, and not guided by a clear knowledge of the system substituted in their place, disdains all restraint, and runs into wild notions, which often lead to scandalous or immoral conduct. Thus, in the first ages of the Christian Church, many of the new converts, having renounced their ancient systems of religious faith, and being but imperfectly acquainted with the doctrines and precepts of Christianity, broached the most extravagant opinions, equally subversive of piety and virtue; all which errors disappeared or were exploded when the knowledge of religion increased and came to be more generally diffused. In like manner, soon after Luther's appearance, the rashness or ignorance of some of his disciples led them to publish tenets no less absurd than pernicious, which, being proposed to men extremely illiterate but fond of novelty, and at a time when their minds were occupied chiefly with religious speculations, gained too easy credit and authority among them. To these causes must be imputed the extravagances of Muncer, in the year 1525, as well as the rapid progress which his opinions made among the peasants; but, though the insurrection excited by that fanatic was soon suppressed, several of his followers lurked in different places, and endeavoured privately to propagate his opinions.

In those provinces of Upper Germany which had already been so cruelly wasted by their enthusiastic rage, the magistrates watched their motions with such severe attention that many of them found it necessary to retire into other countries; some were punished, others driven into exile, and their errors were entirely rooted out. But in the Netherlands and Westphalia, where the pernicious tendency of their opinions was more unknown and guarded against with less care, they got admittance into several towns, and spread the infection of their principles. The most remarkable of their religious tenets related to the sacrament of baptism, which, as they contended, ought to be administered only to persons grown up to years of understanding, and should be performed, not by sprinkling them with water, but by dipping them in it: for this reason they condemned the baptism of infants, and, rebaptizing all whom they admitted into their society, the sect came to be distinguished by the name of Anabaptists. To this peculiar notion concerning baptism, which has the appearance of being founded on the practice of the Church in the apostolic age, and contains nothing inconsistent with the peace and order of human society, they added other principles of a most enthusiastic as well as dangerous nature. They maintained that among Christians, who had the precepts of the gospel to direct and the Spirit of God to guide them, the office of magistracy was

not only unnecessary, but an unlawful encroachment on their spiritual liberty; that the distinctions occasioned by birth or rank or wealth, being contrary to the spirit of the gospel, which considers all men as equals, should be entirely abolished; that all Christians, throwing their possessions into one common stock, should live together in that state of equality which becomes members of the same family; that as neither the laws of nature nor the precepts of the New Testament had imposed any restraints upon men with regard to the number of wives which they might marry, they should use that liberty which God himself had granted to the patriarchs.

Such opinions, propagated and maintained with enthusiastic zeal and boldness, were not long without producing the violent effects natural to them. Two Anabaptist prophets, John Matthias, a baker of Haerlem, and John Boccold, or Beükels, a journeyman tailor of Leyden, possessed with the rage of making proselytes, fixed their residence at Munster, an imperial city in Westphalia, of the first rank, under the sovereignty of its bishop, but governed by its own senate and consuls. As neither of these fanatics wanted the talents requisite in desperate enterprises, great resolution, the appearance of sanctity, bold pretensions to inspiration, and a confident and plausible manner of discoursing, they soon gained many converts. Among these were Rothman, who had first preached the Protestant doctrine in Munster, and Cnipperdoling, a citizen of good birth and considerable eminence. Emboldened by the countenance of such disciples, they openly taught their opinions; and, not satisfied with that liberty, they made several attempts, though without success, to become masters of the town, in order to get their tenets established by public authority. At last, having secretly called in their associates from the neighbouring country, they suddenly took possession of the arsenal and senate-house in the night-time, and, running through the streets with drawn swords and horrible howlings, cried out alternately, "Repent, and be baptized," and, "Depart, ye ungodly." The senators, the canons, the nobility, together with the more sober citizens, whether Papists or Protestants, terrified at their threats and outcries, fled in confusion, and left the city under the dominion of a frantic multitude consisting chiefly of strangers. Nothing now remaining to overawe or control them, they set about modelling the government according to their own wild ideas; and though at first they showed so much reverence for the ancient constitution as to select senators of their own and to appoint Cnipperdoling and another proselyte consuls, this was nothing more than form; for all their proceedings were directed by Matthias, who, in the style and with the authority of a prophet, uttered his commands, which it was instant death to disobey. Having begun with encouraging the multitude to pillage the churches and deface their ornaments, he enjoined them to destroy all books except the Bible, as useless or impious; he ordered the estates of such as fled to be confiscated and sold to the inhabitants of the adjacent country; he commanded every man to bring forth his gold, silver, and other precious effects, and to lay them at his feet; the wealth amassed by these means he deposited in a public treasury, and named deacons to dispense it for the common use of all. The members of his commonwealth being thus brought to a perfect equality, he commanded all of them to eat at tables prepared in public, and even prescribed the dishes which were to be served up each day. Having finished his plan of reformation, his next care was to provide for the defence of the city; and he took measures for that purpose with a prudence which savoured nothing of fanaticism. He collected large magazines of every kind; he repaired and extended the fortifications, obliging every person without distinction to work in his turn; he formed such as were capable of bearing

arms into regular bodies, and endeavoured to add the stability of discipline to the impetuosity of enthusiasm. He sent emissaries to the Anabaptists in the Low Countries, inviting them to assemble at Munster, which he dignified with the name of Mount Sion, that from thence they might set out to reduce all the nations of the earth under their dominion. He himself was unwearied in attending to everything necessary for the security or increase of the sect; animating his disciples by his own example to decline no labour, as well as to submit to every hardship; and, their enthusiastic passions being kept from subsiding by a perpetual succession of exhortations, revelations, and prophecies, they seemed ready to undertake or to suffer anything in maintenance of their opinions.

While they were thus employed, the bishop of Munster, having assembled a considerable army, advanced to besiege the town. On his approach, Matthias sallied out at the head of some chosen troops, attacked one quarter of his camp, forced it, and, after great slaughter, returned to the city loaded with glory and spoil. Intoxicated with this success, he appeared next day brandishing a spear, and declared that, in imitation of Gideon, he would go forth with a handful of men and smite the host of the ungodly. Thirty persons, whom he named, followed him without hesitation in this wild enterprise, and, rushing on the enemy with a frantic courage, were cut off to a man. The death of their prophet occasioned at first great consternation among his disciples; but Boccold, by the same gifts and pretensions which had gained Matthias credit, soon revived their spirits and hopes to such a degree that he succeeded the deceased prophet in the same absolute direction of all their affairs. As he did not possess that enterprising courage which distinguished his predecessor, he satisfied himself with carrying on a defensive war; and, without attempting to annoy the enemy by sallies, he waited for the succours he expected from the Low Countries, the arrival of which was often foretold and promised by their prophets. But, though less daring in action than Matthias, he was a wilder enthusiast and of more unbounded ambition. Soon after the death of his predecessor, having by obscure visions and prophecies prepared the multitude for some extraordinary event, he stripped himself naked, and, marching through the streets, proclaimed with a loud voice, "That the kingdom of Sion was at hand; that whatever was highest on earth should be brought low, and whatever was lowest should be exalted." In order to fulfil this, he commanded the churches, as the most lofty buildings in the city, to be levelled with the ground; he degraded the senators chosen by Matthias, and, depriving Cnipperdoling of the consulship, the highest office in the commonwealth, appointed him to execute the lowest and most infamous, that of common hangman, to which strange transition the other agreed, not only without murmuring, but with the utmost joy; and such was the despotic rigour of Boccold's administration that he was called almost every day to perform some duty or other of his wretched function. In place of the deposed senators, he named twelve judges, according to the number of tribes in Israel, to preside in all affairs, retaining to himself the same authority which Moses anciently possessed as legislator of that people.

Not satisfied, however, with power or titles which were not supreme, a prophet, whom he had gained and tutored, having called the multitude together, declared it to be the will of God that John Buccold should be king of Sion and sit on the throne of David. John, kneeling down, accepted of the heavenly call, which he solemnly protested had been revealed likewise to himself, and was immediately acknowledged as monarch by the deluded multitude. From that moment he assumed all the state and pomp of royalty. He wore

a crown of gold, and was clad in the richest and most sumptuous garments. A Bible was carried on his one hand, a naked sword on the other. A great body of guards accompanied him when he appeared in public. He coined money stamped with his own image, and appointed the great officers of his household and kingdom, among whom Cnipperdoling was nominated governor of the city, as a reward for his former submission.

Having now attained the height of power, Boccold began to discover passions which he had hitherto restrained, or indulged only in secret. As the excesses of enthusiasm have been observed in every age to lead to sensual gratifications, the same constitution that is susceptible of the former being remarkably prone to the latter, he instructed the prophets and teachers to harangue the people for several days concerning the lawfulness, and even necessity, of taking more wives than one, which they asserted to be one of the privileges granted by God to the saints. When their ears were once accustomed to this licentious doctrine, and their passions inflamed with the prospect of such unbounded indulgence, he himself set them an example of using what he called their Christian liberty, by marrying at once three wives, among which the widow of Matthias, a woman of singular beauty, was one. As he was allured by beauty, or the love of variety, he gradually added to the number of his wives until they amounted to fourteen, though the widow of Matthias was the only one dignified with the title of queen or who shared with him the splendour and ornaments of royalty. After the example of their prophet, the multitude gave themselves up to the most licentious and uncontrolled gratification of their desires. No man remained satisfied with a single wife. Not to use their Christian liberty was deemed a crime. Persons were appointed to search the houses for young women grown up to maturity, whom they instantly compelled to marry. Together with polygamy, freedom of divorce, its inseparable attendant, was introduced, and became a new source of corruption. Every excess was committed of which the passions of men are capable when restrained neither by the authority of laws nor the sense of decency;[59] and, by a monstrous and almost incredible conjunction, voluptuousness was engrafted on religion, and dissolute riot accompanied the austerities of fanatical devotion.

Meanwhile, the German princes were highly offended at the insult offered to their dignity by Boccold's presumptuous usurpation of royal honours; and the profligate manners of his followers, which were a reproach to the Christian name, filled men of all professions with horror. Luther, who had testified against this fanatical spirit on its first appearance, now deeply lamented its progress, and, having exposed the delusion with great strength of argument as well as acrimony of style, called loudly on all the states of Germany to put a stop to frenzy no less pernicious to society than fatal to religion. The emperor, occupied with other cares and projects, had not leisure to attend to such a distant object; but the princes of the empire, assembled by the king of the Romans, voted a supply of men and money to the bishop of Munster, who, being unable to keep a sufficient army on foot, had converted the siege of the

[59] "Prophetæ et concionatorum autoritate juxta et exemplo, totâ urbe ad rapiendas pulcherrimas quasque fœminas discursum est. Nec intra paucos dies, in tantâ hominum turbâ, fere ulla reperta est supra annum decimum quartum, quæ stuprum passa non fuerit." (Lamb. Hortens., p. 303.) "Vulgo viris quinas esse uxores, pluribus senas, nonnullis septenas et octonas. Puellas supra duodecimum ætatis annum statim amare." (Id., 305.) "Nemo unâ contentus fuit, neque cuiquam extra effœtas et viris immaturas continenti esse licuit." (Id., 307.) "Tacebo hic, ut sit suus honor auribus, quantâ barbariâ et militiâ usi sunt in puellis vitiandis nondum aptis matrimonio, id quod mihi neque ex vano, neque ex vulgi sermonibus haustum est, sed ex eâ vetulâ, cui cura sic vitiatarum demandata fuit, auditum." Joh. Corvinus, 316.

town into a blockade. The forces raised in consequence of this resolution were put under the command of an officer of experience, who, approaching the town towards the end of spring in the year 1535, pressed it more closely than formerly, but found the fortifications so strong and so diligently guarded that he durst not attempt an assault. It was now about fifteen months since the Anabaptists had established their dominion in Munster; they had during that time undergone prodigious fatigue in working on the fortifications and performing military duty. Notwithstanding the prudent attention of their king to provide for their subsistence, and his frugal as well as regular economy in their public meals, they began to feel the approach of famine. Several small bodies of their brethren, who were advancing to their assistance from the Low Countries, had been intercepted and cut to pieces; and while all Germany was ready to combine against them, they had no prospect of succour. But such was the ascendant which Boccold had acquired over the multitude, and so powerful the fascination of enthusiasm, that their hopes were as sanguine as ever, and they hearkened with implicit credulity to the visions and predictions of their prophets, who assured them that the Almighty would speedily interpose in order to deliver the city. The faith, however, of some few, shaken by the violence and length of their sufferings, began to fail; but, being suspected of an inclination to surrender to the enemy, they were punished with immediate death, as guilty of impiety in distrusting the power of God. One of the king's wives having uttered certain words which implied some doubt concerning his divine mission, he instantly called the whole number together, and, commanding the blasphemer, as he called her, to kneel down, cut off her head with his own hands; and so far were the rest from expressing any horror at this cruel deed that they joined him in dancing with a frantic joy around the bleeding body of their companion.

By this time the besieged endured the utmost rigour of famine; but they chose rather to suffer hardships the recital of which is shocking to humanity than to listen to the terms of capitulation offered them by the bishop. At last a deserter, whom they had taken into their service, being either less intoxicated with the fumes of enthusiasm, or unable any longer to bear such distress, made his escape to the enemy. He informed their general of a weak part in the fortifications which he had observed, and, assuring him that the besieged, exhausted with hunger and fatigue, kept watch there with little care, he offered to lead a party thither in the night. The proposal was accepted, and a chosen body of troops appointed for the service, who, scaling the walls unperceived, seized one of the gates, and admitted the rest of the army. The Anabaptists, though surprised, defended themselves in the market-place with valour heightened by despair; but, being overpowered by numbers, and surrounded on every hand, most of them were slain, and the remainder were taken prisoners. Among the last were the king and Cnipperdoling. The king, loaded with chains, was carried from city to city as a spectacle to gratify the curiosity of the people, and was exposed to all their insults. His spirit, however, was not broken or humbled by this sad reverse of his condition; and he adhered with unshaken firmness to the distinguishing tenets of his sect. After this, he was brought back to Munster, the scene of his royalty and crimes, and put to death with the most exquisite as well as lingering tortures, all which he bore with astonishing fortitude. This extraordinary man, who had been able to acquire such amazing dominion over the minds of his followers and to excite commotions so dangerous to society, was only twenty-six years of age.[68]

[68] Sleid., 190, etc.—Tumultuum Anabaptistarum, liber unus, Ant. Lamberto Hortensio Auctore, ap. Scardium, vol. ii. p. 298, etc.—De Miserabili Monasteriensium Obsidione,

Together with its monarch, the kingdom of the Anabaptists came to an end. Their principles having taken deep root in the Low Countries, the party still subsists there, under the name of Mennonites; but, by a very singular revolution, this sect, so mutinous and sanguinary at its first origin, hath become altogether innocent and pacific. Holding it unlawful to wage war or to accept of civil offices, they devote themselves entirely to the duties of private citizens, and by their industry and charity endeavour to make reparation to human society for the violence committed by their founders.[61] A small number of this sect which is settled in England retain its peculiar tenets concerning baptism, but without any dangerous mixture of enthusiasm.

The mutiny of the Anabaptists, though it drew general attention, did not so entirely engross the princes of Germany as not to allow leisure for other transactions. The alliance between the French king and the confederates at Smalkalde began about this time to produce great effects. Ulric, duke of Wurtemberg, having been expelled his dominions in the year 1519 on account of his violent and oppressive administration, the house of Austria had got possession of his duchy. That prince, having now by a long exile atoned for the errors in his conduct, which were the effect rather of inexperience than of a tyrannical disposition, was become the object of general compassion. The landgrave of Hesse, in particular, his near relation, warmly espoused his interest, and used many efforts to recover for him his ancient inheritance. But the king of the Romans obstinately refused to relinquish a valuable acquisition which his family had made with so much ease. The landgrave, unable to compel him, applied to the king of France, his new ally. Francis, eager to embrace any opportunity of distressing the house of Austria, and desirous of wresting from it a territory which gave it footing and influence in a part of Germany at a distance from its other dominions, encouraged the landgrave to take arms, and secretly supplied him with a large sum of money. This he employed to raise troops, and, marching with great expedition towards Wurtemberg, attacked, defeated, and dispersed a considerable body of Austrians, intrusted with the defence of the country. All the duke's subjects hastened, with emulation, to receive their native prince, and reinvested him with that authority which is still enjoyed by his descendants. At the same time, the exercise of the Protestant religion was established in his dominions.[62]

Ferdinand, how sensible soever of this unexpected blow, not daring to attack a prince whom all the Protestant powers in Germany were ready to support, judged it expedient to conclude a treaty with him, by which, in the most ample form, he recognized his title to the duchy. The success of the landgrave's operations in behalf of the duke of Wurtemberg having convinced Ferdinand that a rupture with a league so formidable as that of Smalkalde was to be avoided with the utmost care, he entered likewise into a negotiation with the elector of Saxony, the head of that union; and by some concessions in favour of the Protestant religion, and others of advantage to the elector himself, he prevailed on him, together with his confederates, to acknowledge his title as king of the Romans. At the same time, in order to prevent any such precipitate or irregular election in times to come, it was agreed that no person should hereafter be promoted to that dignity without the unanimous consent of the electors; and the emperor soon after confirmed this stipulation.[63]

These acts of indulgence towards the Protestants, and the close union into

etc., libellus Antonii Corvini, ap. Scar., 313. —Annales Anabaptistici, a Joh. Henrico Ottio, 4to, Basileæ, 1672.—Cor. Heersbachius, Hist. Anab., edit. 1637, p. 140.

[61] Bayle, Diction., art. *Anabaptistes*.

[62] Sleid, 172.—Mém. de Bellay, 159, etc.

[63] Sleid., 173.—Corps Diplom., tom iv. pp. 2, 119.

which the king of the Romans seemed to be entering with the princes of that party, gave great offence at Rome. Paul III., though he had departed from a resolution of his predecessor never to consent to the calling of a general council, and had promised, in the first consistory held after his election, that he would convoke that assembly so much desired by all Christendom, was no less enraged than Clement at the innovations in Germany, and no less averse to any scheme for reforming either the doctrines of the Church or the abuses in the court of Rome. But, having been a witness of the universal censures which Clement had incurred by his obstinacy with regard to these points, he hoped to avoid the same reproach by the seeming alacrity with which he proposed a council; flattering himself, however, that such difficulties would arise concerning the time and place of meeting, the persons who had a right to be present, and the order of their proceedings, as would effectually defeat the intention of those who demanded that assembly, without exposing himself to any imputation for refusing to call it. With this view, he despatched nuncios to the several courts, in order to make known his intention that he had fixed on Mantua as the proper place in which to hold the council. Such difficulties as the pope had foreseen immediately presented themselves in great number. The French king did not approve of the place which Paul had chosen, as the papal and imperial influence would necessarily be too great in a town situated in that part of Italy. The king of England not only concurred with Francis in urging that objection, but refused, besides, to acknowledge any council called in the name and by the authority of the pope. The German Protestants, having met together at Smalkalde, insisted on their original demand of a council to be held in Germany, and, pleading the emperor's promise as well as the agreement at Ratisbon to that effect, declared that they would not consider an assembly held at Mantua as a legal or free representative of the Church. By this diversity of sentiments and views, such a field for intrigue and negotiation opened as made it easy for the pope to assume the merit of being eager to assemble a council, while at the same time he could put off its meeting at pleasure. The Protestants, on the other hand, suspecting his designs, and sensible of the importance which they derived from their union, renewed for ten years the league of Smalkalde, which now became stronger and more formidable by the accession of several new members.[64]

During these transactions in Germany, the emperor undertook his famous enterprise against the piratical states in Africa. That part of the African continent lying along the coast of the Mediterranean Sea, which anciently formed the kingdoms of Mauritania and Massylia, together with the republic of Carthage, and which is now known by the general name of Barbary, had undergone many revolutions. Subdued by the Romans, it became a province of their empire. When it was conquered afterwards by the Vandals, they erected a kingdom there. That being overturned by Belisarius, the country became subject to the Greek emperors, and continued to be so until it was overrun, towards the end of the seventh century, by the rapid and irresistible arms of the Arabians. It remained for some time a part of that vast empire

[64] This league was concluded December, 1535, but not extended or signed in form till September in the following year. The princes who acceded to it were, John, elector of Saxony; Ernest, duke of Brunswick; Philip, landgrave of Hesse; Ulric, duke of Wurtemberg; Barnim and Philip, dukes of Pomerania; John, George, and Joachim, princes of Anhalt; Gebhard and Albert, counts of Mansfield; William, Count of Nassau. The cities, Strasburg, Nuremberg, Constance, Ulm, Magdeburg, Bremen, Reutlingen, Heilbron, Memmingen, Lindau, Campen, Isna, Bibrac, Windsheim, Augsburg, Frankfort, Esling, Brunswick, Goslar, Hanover, Göttingen, Eimbeck, Hamburg, Minden.

which the Caliphs governed with absolute authority. Its immense distance, however, from the seat of government encouraged the descendants of those leaders who had subdued the country, or the chiefs of the Moors, its ancient inhabitants, to throw off the yoke and to assert their independence. The Caliphs, who derived their authority from a spirit of enthusiasm more fitted for making conquests than for preserving them, were obliged to connive at acts of rebellion which they could not prevent; and Barbary was divided into several kingdoms, of which Morocco, Algiers, and Tunis were the most considerable. The inhabitants of these kingdoms were a mixed race, Arabs, Negroes from the southern provinces, and Moors, either natives of Africa, or who had been expelled out of Spain; all zealous professors of the Mahometan religion, and inflamed against Christianity with a bigoted hatred proportional to their ignorance and barbarous manners.

Among these people, no less daring, inconstant, and treacherous than the ancient inhabitants of the same country described by the Roman historians, frequent seditions broke out, and many changes in government took place. These, as they affected only the internal state of a country extremely barbarous, are but little known, and deserve to be so. But about the beginning of the sixteenth century a sudden revolution happened, which, by rendering the states of Barbary formidable to the Europeans, hath made their history worthy of more attention. This revolution was brought about by persons born in a rank of life which entitled them to act no such illustrious part. Horuc and Hayradin, the sons of a potter in the isle of Lesbos, prompted by a restless and enterprising spirit, forsook their father's trade, ran to sea, and joined a crew of pirates. They soon distinguished themselves by their valour and activity, and, becoming masters of a small brigantine, carried on their infamous trade with such conduct and success that they assembled a fleet of twelve galleys, besides many vessels of smaller force. Of this fleet Horuc, the elder brother, called Barbarossa from the red colour of his beard, was admiral, and Hayradin second in command, but with almost equal authority. They called themselves the friends of the sea, and the enemies of all who sail upon it; and their names soon became terrible from the Straits of the Dardanelles to those of Gibraltar. Together with their fame and power, their ambitious views extended, and, while acting as corsairs, they adopted the ideas and acquired the talents of conquerors. They often carried the prizes which they took on the coasts of Spain and Italy into the ports of Barbary, and enriching the inhabitants by the sale of their booty and the thoughtless prodigality of their crews, were welcome guests in every place at which they touched. The convenient situation of these harbours, lying so near the greatest commercial states at that time in Christendom, made the brothers wish for an establishment in that country. An opportunity of accomplishing this quickly presented itself, which they did not suffer to pass unimproved. Eutemi, king of Algiers, having attempted several times, without success, to take a fort which the Spanish governors of Oran had built not far from his capital, was so ill advised as to apply for aid to Barbarossa, whose valour the Africans considered as irresistible. The active corsair gladly accepted of the invitation, and, leaving his brother Hayradin with the fleet, marched at the head of five thousand men to Algiers, where he was received as their deliverer. Such a force gave him the command of the town; and as he perceived that the Moors neither suspected him of any bad intention nor were capable with their light-armed troops of opposing his disciplined veterans, he secretly murdered the monarch whom he had come to assist, and proclaimed himself king of Algiers in his stead. The authority which he had thus boldly usurped he endeavoured to establish

by arts suited to the genius of the people whom he had to govern ; by liberality without bounds to those who favoured his promotion, and by cruelty no less unbounded towards all whom he had any reason to distrust. Not satisfied with the throne which he had acquired, he attacked the neighbouring king of Tremecen, and, having vanquished him in battle, added his dominions to those of Algiers. At the same time, he continued to infest the coasts of Spain and Italy with fleets which resembled the armaments of a great monarch rather than the light squadron, of a corsair. Their frequent and cruel devastations obliged Charles, about the beginning of his reign, to furnish the marquis de Comares, governor of Oran, with troops sufficient to attack him. That officer, assisted by the dethroned king of Tremecen, executed the commission with such spirit that, Barbarossa's troops being beaten in several encounters, he himself was shut up in Tremecen. After defending it to the last extremity, he was overtaken in attempting to make his escape, and slain while he fought with an obstinate valour worthy of his former fame and exploits.

His brother Hayradin, known likewise by the name of Barbarossa, assumed the sceptre of Algiers with the same ambition and abilities, but with better fortune. His reign being undisturbed by the arms of the Spaniards, which had full occupation in the wars among the European powers, he regulated with admirable prudence the interior police of his kingdom, carried on his naval operations with great vigour, and extended his conquests on the continent of Africa. But, perceiving that the Moors and Arabs submitted to his government with reluctance, and being afraid that his continual depredations would one day draw upon him the arms of the Christians, he put his dominions under the protection of the Grand Seignior, and received from him a body of Turkish soldiers sufficient for his domestic as well as foreign enemies. At last, the fame of his exploits daily increasing, Solyman offered him the command of the Turkish fleet, as the only person whose valour and skill in naval affairs entitled him to command against Andrew Doria, the greatest sea-officer of that age. Proud of this distinction, Barbarossa repaired to Constantinople, and, with a wonderful versatility of mind, mingling the arts of a courtier with the boldness of a corsair, gained the entire confidence both of the sultan and his vizier. To them he communicated a scheme which he had formed of making himself master of Tunis, the most flourishing kingdom at that time on the coast of Africa ; and, this being approved of by them, he obtained whatever he demanded for carrying it into execution.

His hopes of success in this undertaking were founded on the intestine divisions in the kingdom of Tunis. Mahmed, the last king of that country, having thirty-four sons by different wives, appointed Muley-Hascen, one of the youngest among them, to be his successor. That weak prince, who owed this preference not to his own merit, but to the ascendant which his mother had acquired over a monarch doting with age, first poisoned Mahmed, his father, in order to prevent him from altering his destination with respect to the succession, and then, with the barbarous policy which prevails wherever polygamy is permitted and the right of succession is not precisely fixed, he put to death all his brothers whom he could get into his power. Alraschid, one of the eldest, was so fortunate as to escape his rage, and, finding a retreat among the wandering Arabs, made several attempts, by the assistance of some of their chiefs, to recover the throne which of right belonged to him. But these proving unsuccessful, and the Arabs, from their natural levity, being ready to deliver him up to his merciless brother, he fled to Algiers, the only place of refuge remaining, and implored the protection of Barbarossa, who, discerning at once all the advantages which might be gained by support-

ing his title, received him with every possible demonstration of friendship and respect. Being ready at that time to set sail for Constantinople, he easily persuaded Alraschid, whose eagerness to obtain a crown disposed him to believe or undertake anything, to accompany him thither, promising him effectual assistance from Solyman, whom he represented to be the most generous as well as most powerful monarch in the world. But no sooner were they arrived at Constantinople than the treacherous corsair, regardless of all his promises to him, opened to the sultan a plan for conquering Tunis and annexing it to the Turkish empire, by making use of the name of this exiled prince and co-operating with the party in the kingdom which was ready to declare in his favour. Solyman approved, with too much facility, of this perfidious proposal, extremely suitable to the character of its author, but altogether unworthy of a great prince. A powerful fleet and numerous army were soon assembled, at the sight of which the credulous Alraschid flattered himself that he should soon enter his capital in triumph.

But just as this unhappy prince was going to embark, he was arrested by order of the sultan, shut up in the seraglio, and was never heard of more. Barbarossa sailed with a fleet of two hundred and fifty vessels towards Africa. After ravaging the coasts of Italy and spreading terror through every part of that country, he appeared before Tunis, and, landing his men, gave out that he came to assert the right of Alraschid, whom he pretended to have left sick aboard the admiral's galley. The fort of Goletta, which commands the bay, soon fell into his hands, partly by his own address, partly by the treachery of its commander; and the inhabitants of Tunis, weary of Muley-Hascen's government, took arms and declared for Alraschid with such zeal and unanimity as obliged the former to fly so precipitately that he left all his treasures behind him. The gates were immediately set open to Barbarossa, as the restorer of their lawful sovereign. But when Alraschid himself did not appear, and when, instead of his name, that of Solyman alone was heard among the acclamations of the Turkish soldiers marching into the town, the people of Tunis began to suspect the corsair's treachery. Their suspicions being soon converted into certainty, they ran to arms with the utmost fury, and surrounded the citadel into which Barbarossa had led his troops. But, having foreseen such a revolution, he was not unprepared for it: he immediately turned against them the artillery on the ramparts, and by one brisk discharge dispersed the numerous but undirected assailants, and forced them to acknowledge Solyman as their sovereign and to submit to himself as his viceroy.

His first care was to put the kingdom, of which he had thus got possession, in a proper posture of defence. He strengthened the citadel which commands the town, and, fortifying the Goletta in a regular manner, at vast expense, made it the principal station for his fleet, and his great arsenal for military as well as naval stores. Being now possessed of such extensive territories, he carried on his depredations against the Christian states to a greater extent and with more destructive violence than ever. Daily complaints of the outrages committed by his cruisers were brought to the emperor by his subjects, both in Spain and Italy. All Christendom seemed to expect from him, as its greatest and most fortunate prince, that he would put an end to this new and odious species of oppression. At the same time, Muley-Hascen, the exiled king of Tunis, finding none of the Mahometan princes in Africa willing or able to assist him in recovering his throne, applied to Charles as the only person who could assert his rights in opposition to such a formidable usurper. The emperor, equally desirous of delivering his dominions from the dangerous

neighbourhood of Barbarossa, of appearing as the protector of an unfortunate prince, and of acquiring the glory annexed in that age to every expedition against the Mahometans, readily concluded a treaty with Muley-Hascen, and began to prepare for invading Tunis. Having made trial of his own abilities for war in the late campaign in Hungary, he was now become so fond of the military character that he determined to command on this occasion in person. The united strength of his dominions was called out upon an enterprise in which the emperor was about to hazard his glory, and which drew the attention of all Europe. A Flemish fleet carried from the ports of the Low Countries a body of German infantry;[65] the galleys of Naples and Sicily took on board the veteran bands of Italians and Spaniards which had distinguished themselves by so many victories over the French; the emperor himself embarked at Barcelona with the flower of the Spanish nobility, and was joined by a considerable squadron from Portugal, under the command of the Infant Don Lewis, the empress's brother; Andrew Doria conducted his own galleys, the best appointed at that time in Europe, and commanded by the most skilful officers; the pope furnished all the assistance in his power towards such a pious enterprise; and the order of Malta, the perpetual enemies of the infidels, equipped a squadron, which, though small, was formidable by the valour of the knights who served on board it. The port of Cagliari in Sardinia was the general place of rendezvous. Doria was appointed high-admiral of the fleet; the command of the land-forces under the emperor was given to the marquis del Guasto.

On the 16th of July, the fleet, consisting of near five hundred vessels, having on board above thirty thousand regular troops, set sail from Cagliari, and, after a prosperous navigation, landed within sight of Tunis. Barbarossa, having received early intelligence of the emperor's immense armament, and suspecting its destination, prepared with equal prudence and vigour for the defence of his new conquest. He called in all his corsairs from their different stations; he drew from Algiers what forces could be spared; he despatched messengers to all the African princes, Moors as well as Arabs, and, by representing Muley-Hascen as an infamous apostate, prompted by ambition and revenge not only to become the vassal of a Christian prince, but to conspire with him to extirpate the Mahometan faith, he inflamed those ignorant and bigoted chiefs to such a degree that they took arms as in a common cause. Twenty thousand horse, together with a great body of foot, soon assembled at Tunis; and, by a proper distribution of presents among them from time to time, Barbarossa kept the ardour which had brought them together from subsiding. But, as he was too well acquainted with the enemy whom he had to oppose to think that these light troops could resist the heavy-armed cavalry and veteran infantry which composed the imperial army, his chief confidence was in the strength of the Goletta, and in his body of Turkish soldiers, who were armed and disciplined after the European fashion. Six thousand of these, under the command of Sinan, a renegado Jew, the bravest and most experienced of all his corsairs, he threw into that fort, which the emperor immediately invested. As Charles had the command of the sea, his camp was so plentifully supplied not only with the necessaries but with all the luxuries of life that Muley-Hascen, who had not been accustomed to see war carried on with such order and magnificence, was filled with admiration of the emperor's power. His troops, animated by his presence and considering it as meritorious to shed their blood in such a pious cause, contended with each other for the posts of honour and danger. Three separate attacks were concerted, and the

[65] Haræi Annales Brabant., i. 599.

Germans, Spaniards, and Italians, having one of these committed to each of them, pushed them forward with the eager courage which national emulation inspires. Sinan displayed resolution and skill becoming the confidence which his master had put in him; the garrison performed the hard service on which they were ordered with great fortitude. But, though he interrupted the besiegers by frequent sallies,—though the Moors and Arabs alarmed the camp with their continual incursions, the breaches soon became so considerable towards the land, while the fleet battered those parts of the fortifications which it could approach with no less fury and success, that, an assault being given on all sides at once, the place was taken by storm. Sinan, with the remains of his garrison, retired, after an obstinate resistance, over a shallow part of the bay towards the city. By the reduction of the Goletta, the emperor became master of Barbarossa's fleet, consisting of eighty-seven galleys and galliots, together with his arsenal and three hundred cannon, mostly brass, which were planted on the ramparts; a prodigious number in that age, and a remarkable proof of the strength of the fort, as well as of the greatness of the corsair's power. The emperor marched into the Goletta through the breach, and, turning to Muley-Hascen, who attended him, "Here," says he, "is a gate open to you, by which you shall return to take possession of your dominions."

Barbarossa, though he felt the full weight of the blow which he had received, did not, however, lose courage or abandon the defence of Tunis. But, as the walls were of great extent and extremely weak, as he could not depend on the fidelity of the inhabitants, nor hope that the Moors and Arabs would sustain the hardships of a siege, he boldly determined to advance with his army, which amounted to fifty thousand men,[66] towards the imperial camp, and to decide the fate of his kingdom by the issue of a battle. This resolution he communicated to his principal officers, and, representing to them the fatal consequences which might follow if ten thousand Christian slaves whom he had shut up in the citadel should attempt to mutiny during the absence of the army, he proposed, as a necessary precaution for the public security, to massacre them without mercy before he began his march. They all approved warmly of his intention to fight; but, inured as they were in their piratical depredations to scenes of bloodshed and cruelty, the barbarity of his proposal concerning the slaves filled them with horror; and Barbarossa, rather from the dread of irritating them than swayed by motives of humanity, consented to spare the lives of the slaves.

By this time the emperor had begun to advance towards Tunis; and, though his troops suffered inconceivable hardships in their march, over burning sands, destitute of water, and exposed to the intolerable heat of the sun, they soon came up with the enemy. The Moors and Arabs, emboldened by their vast superiority in number, immediately rushed on to the attack with loud shouts; but their undisciplined courage could not long stand the shock of regular battalions; and though Barbarossa, with admirable presence of mind, and by exposing his own person to the greatest dangers, endeavoured to rally them, the rout became so general that he himself was hurried along with them in their flight back to the city. There he found everything in the utmost confusion; some of the inhabitants flying with their families and effects, others ready to set open their gates to the conqueror, the Turkish soldiers preparing to retreat, and the citadel, which in such circumstances might have afforded him some refuge, already in the possession of the Christian captives. These unhappy men, rendered desperate by their situation, had laid hold on the

[66] Epistres des Princes, par Ruscelli, p. 119, etc.

opportunity which Barbarossa dreaded. As soon as his army was at some distance from the town, they gained two of their keepers, by whose assistance, knocking off their fetters and bursting open their prisons, they overpowered the Turkish garrison and turned the artillery of the fort against their former masters. Barbarossa, disappointed and enraged, exclaiming sometimes against the false compassion of his officers, and sometimes condemning his own imprudent compliance with their opinions, fled precipitately to Bona.

Meanwhile, Charles, satisfied with the easy and almost bloodless victory which he had gained, and advancing slowly with the precaution necessary in an enemy's country, did not yet know the whole extent of his own good fortune. But at last a messenger despatched by the slaves acquainted him with the success of their noble effort for the recovery of their liberty; and at the same time deputies arrived from the town, in order to present him the keys of their gates and to implore his protection from military violence. While he was deliberating concerning the proper measures for this purpose, the soldiers, fearing that they should be deprived of the booty which they had expected, rushed suddenly and without orders into the town, and began to kill and plunder without distinction. It was then too late to restrain their cruelty, their avarice, or licentiousness. All the outrages of which soldiers are capable in the fury of a storm, all the excesses of which men can be guilty when their passions are heightened by the contempt and hatred which difference in manners and religion inspires, were committed. Above thirty thousand of the innocent inhabitants perished on that unhappy day, and ten thousand were carried away as slaves. Muley-Hascen took possession of a throne surrounded with carnage, abhorred by his subjects, on whom he had brought such calamities, and pitied even by those whose rashness had been the occasion of them. The emperor lamented the fatal accident which had stained the lustre of his victory; and amidst such a scene of horror there was but one spectacle that afforded him any satisfaction. Ten thousand Christian slaves, among whom were several persons of distinction, met him as he entered the town, and, falling on their knees, thanked and blessed him as their deliverer.

At the same time that Charles accomplished his promise to the Moorish king of re-establishing him in his dominions, he did not neglect what was necessary for bridling the power of the African corsairs, for the security of his own subjects and for the interest of the Spanish crown. In order to gain these ends, he concluded a treaty with Muley-Hascen on the following conditions: That he should hold the kingdom of Tunis in fee of the crown of Spain, and do homage to the emperor as his liege-lord; that all the Christian slaves now within his dominions, of whatever nation, should be set at liberty without ransom; that no subject of the emperor's should for the future be detained in servitude; that no Turkish corsair should be admitted into the ports of his dominions; that free trade, together with the public exercise of the Christian religion, should be allowed to all the emperor's subjects; that the emperor should not only retain the Goletta, but that all the other seaports in the kingdom which were fortified should be put into his hands; that Muley-Hascen should pay annually twelve thousand crowns for the subsistence of the Spanish garrison in the Goletta; that he should enter into no alliance with any of the emperor's enemies, and should present to him every year, as an acknowledgment of his vassalage, six Moorish horses, and as many hawks.[67] Having thus settled the affairs of Africa, chastised the insolence of the corsairs, secured a safe retreat for the ships of his subjects, and a proper station to his own fleets, on that coast from which he was most infested by

[67] Du Mont, Corps Diplomat., ii. 128.—Summonte, Hist. di Napoli, iv. 89.

piratical depredations, Charles embarked again for Europe, the tempestuous weather and sickness among his troops not permitting him to pursue Barbarossa.[68]

By this expedition, the merit of which seems to have been estimated in that age rather by the apparent generosity of the undertaking, the magnificence wherewith it was conducted, and the success which crowned it, than by the importance of the consequences that attended it, the emperor attained a greater height of glory than at any other period of his reign. Twenty thousand slaves whom he freed from bondage either by his arms or by his treaty with Muley-Hascen,[69] each of whom he clothed and furnished with the means of returning to their respective countries, spread all over Europe the fame of their benefactor's munificence, extolling his power and abilities with the exaggeration flowing from gratitude and admiration. In comparison with him, the other monarchs of Europe made an inconsiderable figure. They seemed to be solicitous about nothing but their private and particular interest; while Charles, with an elevation of sentiment which became the chief prince in Christendom, appeared to be concerned for the honour of the Christian name and attentive to the public security and welfare.

[68] Joh. Etropii Diarium Expedition. Tunetanæ, ap. Scard., vol. ii. p. 320, etc.—Jovii Histor., lib. xxxiv. 153, etc.—Sandoval, il. 154, etc.—Vertot, Hist. des Chevaliers de Malthe.—Epistres des Princes, par Ruscelli, traduites par Belleforest, pp. 119, 120, etc.—Anton. Pontii Consentini Hist. Belli adv. Barbar., ap. Matthæi Analecta.

[69] Summonte, Hist. di Napoli, vol. iv. p. 103.

BOOK VI.

A new War between the Emperor and Francis—Francis negotiates unsuccessfully with the German Protestants—Takes Possession of Savoy—Geneva recovers its Liberty—Francis makes a new Claim to the Duchy of Milan—Charles prepares for War—He challenges Francis—He recovers a part of Savoy—He enters Provence—He is defeated by the cautious Policy of Montmorency—Operations in Picardy—Death of the Dauphin imputed to Poison—Decree of the Parliament of Paris—Hostilities in the Low Countries, and in Piedmont—Alliance between Francis and Solyman—Truce concluded at Nice—Interview between Charles and Francis—Assassination of Alexander de' Medici—His Successor, Cosmo, supported by the Emperor—Renewed Coolness between Charles and Francis—The Emperor courts Henry VIII.—Negotiations for a General Council—The Reformation in Saxony—State of the Emperor's Finances—Complaints of his Spanish Subjects—The Cortes subverted—Insurrection at Ghent—Francis refuses Aid to the Rebels—Charles passes through France—His Vengeance upon Ghent—He refuses to keep his Promise to Francis concerning Milan—Loyola, Founder of the Jesuits—Constitution and Policy of this Order—Its Power, Wealth, and Influence—Conference between Roman and Protestant Divines at Ratisbon—Death of King John of Hungary—Solyman seizes the Kingdom—The Emperor's Expedition against Algiers.

Unfortunately for the reputation of Francis I. among his contemporaries, his conduct at this juncture appeared a perfect contrast to that of his rival, as he laid hold on the opportunity afforded him by the emperor's having turned his whole force against the common enemy of Christendom, to revive his pretensions in Italy and to plunge Europe into a new war. The treaty of Cambray, as has been observed, did not remove the causes of enmity between the two contending princes: it covered up, but did not extinguish, the flames of discord. Francis, in particular, who waited with impatience for a proper occasion of recovering the reputation as well as the territories which he had lost, continued to carry on his negotiations in different courts against the emperor, taking the utmost pains to heighten the jealousy which many princes entertained of his power or designs, and to inspire the rest with the same suspicion and fear. Among others, he applied to Francis Sforza, who, though indebted to Charles for the possession of the duchy of Milan, had received it on such hard conditions as rendered him not only a vassal of the empire, but a tributary dependent upon the emperor. The honour of having married the emperor's niece did not reconcile him to this ignominious state of subjection, which became so intolerable even to Sforza, though a weak and poor-spirited prince, that he listened with eagerness to the first proposals Francis made of rescuing him from the yoke. These proposals were conveyed to him by Maraviglia, or Merveille, as he is called by the French historians, a Milanese gentleman residing at Paris; and soon after, in order to carry on the negotiation with greater advantage, Merveille was sent to Milan, on pretence of visiting his relations, but with secret credentials from Francis as his envoy. In this character he was received by Sforza. But, notwithstanding his care to keep that circumstance concealed, Charles, suspecting or having received information of it, remonstrated and threatened in such a high tone that the

duke and his ministers, equally intimidated, gave the world immediately a most infamous proof of their servile fear of offending the emperor. As Merveille had neither the prudence nor the temper which the function wherein he was employed required, they artfully decoyed him into a quarrel, in which he happened to kill his antagonist, one of the duke's domestics, and, having instantly seized him, they ordered him to be tried for that crime, and to be beheaded. Francis, no less astonished at this violation of a character held sacred among the most uncivilized nations than enraged at the insult offered to the dignity of his crown, threatened Sforza with the effects of his indignation, and complained to the emperor, whom he considered as the real author of that unexampled outrage. But, receiving no satisfaction from either, he appealed to all the princes of Europe, and thought himself now entitled to take vengeance for an injury which it would have been indecent and pusillanimous to let pass with impunity.

Being thus furnished with a pretext for beginning a war on which he had already resolved, he multiplied his efforts in order to draw in other princes to take part in the quarrel. But all his measures for this purpose were disconcerted by unforeseen events. After having sacrificed the honour of the royal family of France by the marriage of his son with Catharine of Medici, in order to gain Clement, the death of that pontiff had deprived him of all the advantages which he expected to derive from his friendship. Paul, his successor, though attached by inclination to the imperial interest, seemed determined to maintain the neutrality suitable to his character as the common father of the contending princes. The king of England, occupied with domestic cares and projects, declined, for once, engaging in the affairs of the Continent, and refused to assist Francis unless he would imitate his example in throwing off the papal supremacy. These disappointments led him to solicit with greater earnestness the aid of the Protestant princes associated by the league of Smalkalde. That he might the more easily acquire their confidence, he endeavoured to accommodate himself to their predominant passion,—zeal for their religious tenets. He affected a wonderful moderation with regard to the points in dispute; he permitted Bellay, his envoy in Germany, to explain his sentiments concerning some of the most important articles, in terms not far different from those used by the Protestants;[1] he even condescended to invite Melancthon, whose gentle manners and pacific spirit distinguished him among the Reformers, to visit Paris, that by his assistance he might concert the most proper measures for reconciling the contending sects which so unhappily divided the Church.[2] These concessions must be considered rather as arts of policy than the result of conviction; for, whatever impression the new opinions in religion had made on his sisters, the queen of Navarre and duchess of Ferrara, the gayety of Francis's own temper, and his love of pleasure, allowed him little leisure to examine theological controversies.

But soon after he lost all the fruits of this disingenuous artifice by a step very inconsistent with his declarations to the German princes. This step, however, the prejudices of the age, and the religious sentiments of his own subjects, rendered it necessary for him to take. His close union with the king of England, an excommunicated heretic, his frequent negotiations with the German Protestants, but, above all, his giving public audience to an envoy from Sultan Solyman, had excited violent suspicions concerning the sincerity of his attachment to religion. To have attacked the emperor, who on all occasions made high pretensions to zeal in defence of the Catholic faith, and

[1] Freheri Script. Rer. German., iii. 354, etc.—Sleid., Hist., 178, 183.—Seckend., lib. iii. 103.

[2] Camerarii Vita Ph. Melancthonis, 12mo, Hag., 1655, p. 12.

at the very juncture when he was preparing for his expedition against Barbarossa, which was then considered as a pious enterprise, could not have failed to confirm such unfavourable sentiments with regard to Francis, and called on him to vindicate himself by some extraordinary demonstration of his reverence for the established doctrines of the Church. The indiscreet zeal of some of his subjects who had imbibed the Protestant opinions furnished him with such an occasion as he desired. They had affixed to the gates of the Louvre and other public places papers containing indecent reflections on the doctrines and rites of the Popish Church. Six of the persons concerned in this rash action were discovered and seized. The king, in order to avert the judgments which it was supposed their blasphemies might draw down upon the nation, appointed a solemn procession. The holy sacrament was carried through the city in great pomp; Francis walked uncovered before it, bearing a torch in his hand; the princes of the blood supported the canopy over it; the nobles marched in order behind. In the presence of this numerous assembly, the king, accustomed to express himself on every subject in strong and animated language, declared that if one of his hands were infected with heresy he would cut it off with the other, and would not spare even his own children if found guilty of that crime. As a dreadful proof of his being in earnest, the six unhappy persons were publicly burnt before the procession was finished, with circumstances of the most shocking barbarity attending their execution.[3]

The princes of the league of Smalkalde, filled with resentment and indignation at the cruelty with which their brethren were treated, could not conceive Francis to be sincere when he offered to protect in Germany those very tenets which he persecuted with such rigour in his own dominions; so that all Bellay's art and eloquence in vindicating his master or apologizing for his conduct made but little impression upon them. They considered, likewise, that the emperor, who hitherto had never employed violence against the doctrines of the Reformers, nor even given them much molestation in their progress, was now bound by the agreement at Ratisbon not to disturb such as had embraced the new opinions; and the Protestants wisely regarded this as a more certain and immediate security than the precarious and distant hopes with which Francis endeavoured to allure them. Besides, the manner in which he had behaved to his allies at the siege of Cambray was too recent to be forgotten, and did not encourage others to rely much on his friendship or generosity. Upon all these accounts, the Protestant princes refused to assist the French king in any hostile attempt against the emperor. The elector of Saxony, the most zealous among them, in order to avoid giving any umbrage to Charles, would not permit Melancthon to visit the court of France, although that Reformer, flattered, perhaps, by the invitation of so great a monarch, or hoping that his presence there might be of signal advantage to the Protestant cause, discovered a strong inclination to undertake the journey.[4]

But, though none of the many princes who envied or dreaded the power of Charles would second Francis's efforts in order to reduce and circumscribe it, he nevertheless commanded his army to advance towards the frontiers of Italy. As his sole pretext for taking arms was that he might chastise the duke of Milan for his insolent and cruel breach of the law of nations, it might have been expected that the whole weight of his vengeance was to have fallen on his territories. But on a sudden, and at their very commencement, operations of war took another direction. Charles, duke of Savoy, one of the least active and able princes of the line from which he descended, had married Beatrix of

[3] Belcarii Comment. Rer. Gallic., 646.—Sleid., Hist., 175, etc.

[4] Camerarii Vita Melan., 142, etc., 415.—Seckend., lib. iii. 107.

Portugal, the sister of the empress. By her great talents she soon acquired an absolute ascendant over her husband; and, proud of her affinity to the emperor, or allured by the magnificent promises with which he flattered her ambition, she formed a union between the duke and the imperial court, extremely inconsistent with that neutrality which wise policy, as well as the situation of his dominions, had hitherto induced him to observe in all the quarrels between the contending monarchs. Francis was abundantly sensible of the distress to which he might be exposed if, when he entered Italy, he should leave behind him the territories of a prince devoted so obsequiously to the emperor that he had sent his eldest son to be educated in the court of Spain, as a kind of hostage for his fidelity. Clement VII., who had represented this danger in a strong light during his interview with Francis at Marseilles, suggested to him, at the same time, the proper method of guarding against it, having advised him to begin his operations against the Milanese by taking possession of Savoy and Piedmont, as the only certain way of securing a communication with his own dominions. Francis, highly irritated with the duke on many accounts, particularly for having supplied the Constable Bourbon with the money that enabled him to levy the body of troops which ruined the French army in the fatal battle of Pavia, was not unwilling to let him now feel both how deeply he resented and how severely he could punish these injuries. Nor did he want several pretexts which gave some colour of equity to the violence that he intended. The territories of France and Savoy lying contiguous to each other, and intermingled in many places, various disputes, unavoidable in such a situation, subsisted between the two sovereigns concerning the limits of their respective property; and, besides, Francis, in right of his mother, Louise of Savoy, had large claims upon the duke, her brother, for her share in their father's succession. Being unwilling, however, to begin hostilities without some cause of quarrel more specious than these pretensions, many of which were obsolete and others dubious, he demanded permission to march through Piedmont in his way to the Milanese, hoping that the duke, from an excess of attachment to the imperial interest, might refuse this request, and thus give a greater appearance of justice to all his operations against him. But, if we may believe the historians of Savoy, who appear to be better informed with regard to this particular than those of France, the duke readily, and with a good grace, granted what it was not in his power to deny, promising free passage to the French troops, as was desired; so that Francis, as the only method now left of justifying the measures which he determined to take, was obliged to insist for full satisfaction with regard to everything that either the crown of France or his mother Louise could demand of the house of Savoy.[5] Such an evasive answer as might have been expected being made to this requisition, the French army, under the Admiral Brion, poured at once into the duke's territories at different places. The countries of Bressey and Bugey, united at that time to Savoy, were overrun in a moment. Most of the towns in the duchy of Savoy opened their gates at the approach of the enemy; a few which attempted to make resistance were easily taken; and before the end of the campaign the duke saw himself stripped of all his dominions but the province of Piedmont, in which there were not many places in a condition to be defended.

To complete the duke's misfortunes, the city of Geneva, the sovereignty of which he claimed and in some degree possessed, threw off his yoke, and its revolt drew along with it the loss of the adjacent territories. Geneva was at that time an imperial city; and, though under the direct dominion of its own

[5] Histoire généalogique de Savoye, par Guichenon, 2 tom., fol., Lyon, 1660, i. 639, etc.

bishops and the remote sovereignty of the dukes of Savoy, the form of its internal constitution was purely republican, being governed by syndics and a council chosen by the citizens. From these distinct and often clashing jurisdictions two opposite parties took their rise, and had long subsisted in the state: the one, composed of the advocates for the privileges of the community, assumed the name of *Eignotz*, or confederates in defence of liberty, and branded the other, which supported the episcopal or ducal prerogatives, with the name of *Mamelukes*, or slaves. At length the Protestant opinions, beginning to spread among the citizens, inspired such as embraced them with that bold, enterprising spirit which always accompanied or was naturally produced by them in their first operations. As both the duke and bishop were, from interest, from prejudice, and from political considerations, violent enemies of the Reformation, all the new converts joined with warmth the party of the Eignotz; and zeal for religion, mingling with the love of liberty, added strength to that generous passion. The rage and animosity of two factions, shut up within the same walls, occasioned frequent insurrections, which terminating mostly to the advantage of the friends of liberty, they daily became more powerful.

The duke and bishop, forgetting their ancient contests about jurisdiction, had united against their common enemies, and each attacked them with his proper weapons. The bishop excommunicated the people of Geneva, as guilty of a double crime,—of impiety in apostatizing from the established religion, and of sacrilege in invading the rights of his see. The duke attacked them as rebels against their lawful prince, and attempted to render himself master of the city, first by surprise, and then by open force. The citizens, despising the thunder of the bishop's censures, boldly asserted their independence against the duke; and partly by their own valour, partly by the powerful assistance which they received from the canton of Berne, together with some small supplies, both of men and money, secretly furnished by the king of France, they defeated all his attempts. Not satisfied with having repulsed him, or with remaining always upon the defensive themselves, they now took advantage of the duke's inability to resist them while overwhelmed by the armies of France, and seized several castles and places of strength which he possessed in the neighbourhood of Geneva, thus delivering the city from those odious monuments of its former subjection and rendering the public liberty more secure for the future. At the same time the canton of Berne invaded and conquered the Pays de Vaud, to which it had some pretensions. The canton of Friburg, though zealously attached to the Catholic religion and having no subject of contest with the duke, laid hold on part of the spoils of that unfortunate prince. A great portion of these conquests or usurpations, being still retained by the two cantons, add considerably to their power, and have become the most valuable part of their territories. Geneva, notwithstanding many schemes and enterprises of the dukes of Savoy to re-establish their dominion over it, still keeps possession of its independence, and, in consequence of that blessing, has attained a degree of consideration, wealth, and elegance which it could not otherwise have reached.[6]

Amidst such a succession of disastrous events, the duke of Savoy had no other resource but the emperor's protection, which upon his return from Tunis he demanded with the most earnest importunity; and, as his misfortunes were occasioned chiefly by his attachment to the imperial interest, he had a

[6] Hist. de la Ville de Genève, par Spon, 12mo, Utr., 1685, p. 99.—Hist. de la Réformation de Suisse, par Rouchat, Gen., 1728, tom. iv. p. 294, etc., tom. v. p. 216, etc.—Mém. de Bellay, 181.

just title to immediate assistance. Charles, however, was not in a condition to support him with that vigour and despatch which the exigency of his affairs called for. Most of the troops employed in the African expedition, having been raised for that service alone, were disbanded as soon as it was finished; the veteran forces under Antonio de Leyva were hardly sufficient for the defence of the Milanese; and the emperor's treasury was entirely drained by his extraordinary efforts against the infidels.

But the death of Francis Sforza, occasioned, according to some historians, by the terror of a French invasion, which had twice been fatal to his family, afforded the emperor full leisure to prepare for action. By this unexpected event the nature of the war and the causes of discord were totally changed. Francis's first pretext for taking arms, in order to chastise Sforza for the insult offered to the dignity of his crown, was at once cut off; but, as that prince died without issue, all Francis's rights to the duchy of Milan, which he had yielded only to Sforza and his posterity, returned back to him in full force. As the recovery of the Milanese was the favourite object of that monarch, he instantly renewed his claim to it; and if he had supported his pretensions by ordering the powerful army quartered in Savoy to advance without losing a moment towards Milan, he could hardly have failed to secure the important point of possession. But Francis, who became less enterprising as he advanced in years, and who was overawed at some times into an excess of caution by the remembrance of his past misfortunes, endeavoured to establish his rights by negotiation, not by arms, and, from a timid moderation, fatal in all great affairs, neglected to improve the favourable opportunity which presented itself. Charles was more decisive in his operations, and, in quality of sovereign, took possession of the duchy as a vacant fief of the empire. While Francis endeavoured to explain and assert his title to it by arguments and memorials, or employed various arts in order to reconcile the Italian powers to the thoughts of his regaining footing in Italy, his rival was silently taking effectual steps to prevent it. The emperor, however, was very careful not to discover too early an intention of this kind, but, seeming to admit the equity of Francis's claim, he appeared solicitous only about giving him possession in such a manner as might not disturb the peace of Europe, or overturn the balance of power in Italy, which the politicians of that country were so desirous of preserving. By this artifice he deceived Francis, and gained so much confidence with the rest of Europe that, almost without incurring any suspicion, he involved the affair in new difficulties and protracted the negotiations at pleasure. Sometimes he proposed to grant the investiture of Milan to the duke of Orleans, Francis's second son; sometimes to the duke of Angoulême, his third son: as the views and inclinations of the French court varied, he transferred his choice alternately from the one to the other, with such profound and well-conducted dissimulation that neither Francis nor his ministers seem to have penetrated his real intention; and all military operations were entirely suspended, as if nothing had remained but to enter quietly into possession of what they demanded.

During the interval of leisure gained in this manner, Charles, on his return from Tunis, assembled the states both of Sicily and Naples; and as they thought themselves greatly honoured by the presence of their sovereign, and were no less pleased with the apparent disinterestedness of his expedition into Africa than dazzled by the success which had attended his arms, he prevailed on them to vote him such liberal subsidies as were seldom granted in that age. This enabled him to recruit his veteran troops, to levy a body of Germans, and to take every other proper precaution for executing or supporting the measures

on which he had determined. Bellay, the French envoy in Germany, having discovered the intention of raising troops in that country, notwithstanding all the pretexts employed in order to conceal it, first alarmed his master with this evident proof of the emperor's insincerity.[7] But Francis was so possessed at that time with the rage of negotiation, in all the artifices and refinements of which his rival far surpassed him, that, instead of beginning his military operations and pushing them with vigour, or seizing the Milanese before the imperial army was assembled, he satisfied himself with making new offers to the emperor, in order to procure the investiture by his voluntary deed. His offers were, indeed, so liberal and advantageous that, if ever Charles had intended to grant his demand, he could not have rejected them with decency. He dexterously eluded them by declaring that until he consulted the pope in person he could not take his final resolution with regard to a point which so nearly concerned the peace of Italy. By this evasion he gained some farther time for ripening the schemes which he had in view.

The emperor at last advanced towards Rome, and made his public entry into that city with extraordinary pomp; but, it being found necessary to remove the ruins of an ancient temple of peace in order to widen one of the streets through which the cavalcade had to pass, all the historians take notice of this trivial circumstance, and they are fond to interpret it as an omen of the bloody war that followed. Charles, it is certain, had by this time banished all thoughts of peace, and at last threw off the mask with which he had so long covered his designs from the court of France, by a declaration of his sentiments no less singular than explicit. The French ambassadors having in their master's name demanded a definitive reply to his propositions concerning the investiture of Milan, Charles promised to give it next day in presence of the pope and cardinals assembled in full consistory. These being accordingly met, and all the foreign ambassadors invited to attend, the emperor stood up, and, addressing himself to the pope, expatiated for some time on the sincerity of his own wishes for the peace of Christendom, as well as his abhorrence of war, the miseries of which he enumerated at great length, with studied and elaborate oratory; he complained that all his endeavours to preserve the tranquillity of Europe had hitherto been defeated by the restless and unjust ambition of the French king; that even during his minority he had proofs of the unfriendly and hostile intentions of that monarch; that afterwards he had openly attempted to wrest from him the imperial crown, which belonged to him by a title no less just than natural; that he had next invaded his kingdom of Navarre; that, not satisfied with this, he had attacked his territories, as well as those of his allies, both in Italy and the Low Countries; that when the valour of the imperial troops, rendered irresistible by the protection of the Almighty, had checked his progress, ruined his armies, and seized his person, he continued to pursue by deceit what he had undertaken with injustice; that he had violated every article in the treaty of Madrid, to which he owed his liberty, and as soon as he returned to his dominions took measures for rekindling the war which that pacification had happily extinguished; that when new misfortunes compelled him to sue again for peace at Cambray, he concluded and observed it with equal insincerity; that soon after he had formed dangerous connections with the heretical princes in Germany and incited them to disturb the tranquillity of the empire; that now he had driven the duke of Savoy, a prince married to a sister of the empress, and joined in close alliance with Spain, out of the greater part of his territories; and after injuries so often repeated, and

[7] Mém. de Bellay, 192.

amidst so many sources of discord, all hope of amity or concord became desperate; and, though he himself was still willing to grant the investiture of Milan to one of the princes of France, there was little probability of that event taking place, as Francis, on the one hand, would not consent to what was necessary for securing the tranquillity of Europe, nor, on the other, could he think it reasonable or safe to give a rival the unconditional possession of all that he demanded. "Let us not, however," added he, "continue wantonly to shed the blood of our innocent subjects; let us decide the quarrel man to man, with what arms he pleases to choose, in our shirts, on an island, a bridge, or aboard a galley moored in a river; let the duchy of Burgundy be put in deposit on his part, and that of Milan on mine; these shall be the prize of the conqueror; and, after that, let the united forces of Germany, Spain, and France be employed to humble the power of the Turk and to extirpate heresy out of Christendom. But if he, by declining this method of terminating our differences, renders war inevitable, nothing shall divert me from prosecuting it to such extremity as shall reduce one of us to be the poorest gentleman in his own dominions. Nor do I fear that it will be on me this misfortune shall fall: I enter upon action with the fairest prospect of success; the justice of my cause, the union of my subjects, the number and valour of my troops, the experience and fidelity of my generals, all combine to insure it. Of all these advantages the king of France is destitute; and were my resources no more certain and my hopes of victory no better founded than his, I would instantly throw myself at his feet, and, with folded hands, and a rope about my neck, implore his mercy."[8]

This long harangue the emperor delivered with an elevated voice, a haughty tone, and the greatest vehemence of expression and gesture. The French ambassadors, who did not fully comprehend his meaning, as he spake in the Spanish tongue, were totally disconcerted, and at a loss how they should answer such an unexpected invective. When one of them began to vindicate his master's conduct, Charles interposed abruptly, and would not permit him to proceed. The pope, without entering into any particular detail, satisfied himself with a short but pathetic recommendation of peace, together with an offer of employing his sincere endeavours in order to procure that blessing to Christendom; and the assembly broke up in the greatest astonishment at the extraordinary scene which had been exhibited. In no part of his conduct, indeed, did Charles ever deviate so widely from his general character. Instead of that prudent recollection, that composed and regular deportment, so strictly attentive to decorum and so admirably adapted to conceal his own passions, for which he was at all other times conspicuous, he appears on this occasion before one of the most august assemblies in Europe, boasting of his own power and exploits with insolence, inveighing against his enemy with indecency, and challenging him to combat with an ostentatious valour more becoming a champion in romance than the first monarch in Christendom. But the well-known and powerful operation of continued prosperity, as well as of exaggerated praise, even upon the firmest minds, sufficiently accounts for this seeming inconsistency. After having compelled Solyman to retreat and having stripped Barbarossa of a kingdom, Charles began to consider his arms as invincible. He had been entertained, ever since his return from Africa, with repeated scenes of triumphs and public rejoicings; the orators and poets of Italy, the most elegant at that time in Europe, had exhausted their genius in panegyric on his conduct and merit, to which the astrologers added magnificent promises of a more splendid fortune still in

[8] Mém. de Bellay, 199.—Sandoval, Hist. del Emper., ii. 226.

store. Intoxicated with all these, he forgot his usual reserve and moderation, and was unable to restrain this extravagant sally of vanity, which became the more remarkable by being both so uncommon and so public.

He himself seems to have been immediately sensible of the impropriety of his behaviour, and when the French ambassadors demanded next day a more clear explanation of what he had said concerning the combat, he told them they were not to consider his proposal as a formal challenge to their master, but as an expedient for preventing bloodshed; he endeavoured to soften several expressions in his discourse, and spoke in terms full of respect towards Francis. But, though this slight apology was far from being sufficient to remove the offence which had been given, Francis, by an unaccountable infatuation, continued to negotiate, as if it had still been possible to bring their differences to a period by an amicable composition. Charles, finding him so eager to run into the snare, favoured the deception, and, by seeming to listen to his proposals, gained time to prepare for the execution of his own designs.[9]

At last the imperial army assembled on the frontiers of the Milanese, to the amount of forty thousand foot and ten thousand horse; while that of France encamped near Vercelli in Piedmont, being greatly inferior in number, and weakened by the departure of a body of Swiss, whom Charles artfully persuaded the popish cantons to recall, that they might not serve against the duke of Savoy, their ancient ally. The French general, not daring to risk a battle, retired as soon as the imperialists advanced. The emperor put himself at the head of his forces, which the marquis del Guasto, the duke of Alva, and Ferdinand de Gonzago commanded under him, though the supreme direction of the whole was committed to Antonio de Leyva, whose abilities and experience justly entitled him to that distinction. Charles soon discovered his intention not to confine his operations to the recovery of Piedmont and Savoy, but to push forward and invade the southern provinces of France. This scheme he had long meditated, and had long been taking measures for executing it with such vigour as might insure success. He had remitted large sums to his sister, the governess of the Low Countries, and to his brother, the king of the Romans, instructing them to levy all the forces in their power, in order to form two separate bodies, the one to enter France on the side of Picardy, the other on the side of Champagne, while he, with the main army, fell upon the opposite frontier of the kingdom. Trusting to these vast preparations, he thought it impossible that Francis could resist so many unexpected attacks, on such different quarters, and began his enterprise with such confidence of its happy issue that he desired Paul Jovius, the historian, to make a large provision of paper sufficient to record the victories which he was going to obtain.

His ministers and generals, instead of entertaining the same sanguine hopes, represented to him in the strongest terms the danger of leading his troops so far from his own territories, to such a distance from his magazines, and into provinces which did not yield sufficient subsistence for their own inhabitants. They entreated him to consider the inexhaustible resources of France in maintaining a defensive war, and the active zeal with which a gallant nobility would serve a prince whom they loved, in repelling the enemies of their country; they recalled to his remembrance the fatal miscarriage of Bourbon and Pescara when they ventured upon the same enterprise under circumstances which seemed as certain to promise success; the marquis del Guasto, in particular, fell on his knees and conjured him to abandon the undertaking as desperate. But many circumstances combined in leading

[9] Mém. de Bellay, 205, etc.

Charles to disregard all their remonstrances. He could seldom be brought, on any occasion, to depart from a resolution which he had once taken; he was too apt to underrate and despise the talents of his rival, the king of France, because they differed so widely from his own; he was blinded by the presumption which accompanies prosperity, and relied, perhaps, in some degree, on the prophecies which predicted the increase of his own grandeur. He not only adhered obstinately to his own plan, but determined to advance towards France without waiting for the reduction of any part of Piedmont, except such towns as were absolutely necessary for preserving his communication with the Milanese.

The marquis de Saluces, to whom Francis had intrusted the command of a small body of troops left for the defence of Piedmont, rendered this more easy than Charles had any reason to expect. That nobleman, educated in the court of France, distinguished by continual marks of the king's favour, and honoured so lately with a charge of such importance, suddenly, and without any provocation or pretext of disgust, revolted from his benefactor. His motives to this treacherous action were as childish as the deed itself was base. Being strongly possessed with a superstitious faith in divination and astrology, he believed with full assurance that the fatal period of the French nation was at hand; that on its ruins the emperor would establish a universal monarchy; that therefore he ought to follow the dictates of prudence, in attaching himself to his rising fortune, and could incur no blame for deserting a prince whom Heaven had devoted to destruction.[10] His treason became still more odious by his employing that very authority with which Francis had invested him, in order to open the kingdom to his enemies. Whatever measures were proposed or undertaken by the officers under his command for the defence of their conquests, he rejected or defeated. Whatever properly belonged to himself as commander-in-chief to provide or perform for that purpose, he totally neglected. In this manner he rendered towns even of the greatest consequence untenable, by leaving them destitute either of provisions, or ammunition, or artillery, or a sufficient garrison; and the imperialists must have reduced Piedmont in as short a time as was necessary to march through it, if Montpezat, the governor of Fossano, had not, by an extraordinary effort of courage and military conduct, detained them almost a month before that inconsiderable place.

By this meritorious and seasonable service he gained his master sufficient time for assembling his forces and for concerting a system of defence against a danger which he now saw to be inevitable. Francis fixed upon the only proper and effectual plan for defeating the invasion of a powerful enemy; and his prudence in choosing this plan, as well as his perseverance in executing it, deserves the greater praise, as it was equally contrary to his own natural temper and to the genius of the French nation. He determined to remain altogether upon the defensive; never to hazard a battle, or even a great skirmish, without certainty of success; to fortify his camps in a regular manner; to throw garrisons only into towns of great strength; to deprive the enemy of subsistence, by laying waste the country before them; and to save the whole kingdom by sacrificing one of its provinces. The execution of this plan he committed entirely to the Maréchal Montmorency, who was the author of it, a man wonderfully fitted by nature for such a trust—haughty, severe, confident in his own abilities, and despising those of other men, incapable of being diverted from any resolution by remonstrances or entreaties, and, in prosecuting any scheme, regardless alike of love or of pity.

[10] Mém. de Bellay, 222, a, 246, b.

Montmorency made choice of a strong camp under the walls of Avignon, at the confluence of the Rhone and the Durance, one of which plentifully supplied his troops with all necessaries from the inland provinces, and the other covered his camp on that side where it was most probable the enemy would approach. He laboured with unwearied industry to render the fortifications of this camp impregnable, and assembled there a considerable army, though greatly inferior to that of the enemy; while the king with another body of troops encamped at Valence, higher up the Rhone. Marseilles and Arles were the only towns he thought it necessary to defend,—the former in order to retain the command of the sea, the latter as the barrier of the province of Languedoc; and each of these he furnished with numerous garrisons of his best troops, commanded by officers on whose fidelity and valour he could rely. The inhabitants of the other towns, as well as of the open country, were compelled to abandon their houses, and were conducted to the mountains, to the camp at Avignon, or to the inland provinces. The fortifications of such places as might have afforded shelter or defence to the enemy were thrown down. Corn, forage, and provisions of every kind were carried away or destroyed; all the mills and ovens were ruined, and the wells filled up or rendered useless. The devastation extended from the Alps to Marseilles, and from the sea to the confines of Dauphiné; nor does history afford any instance among civilized nations in which this cruel expedient for the public safety was employed with the same rigour.

At length the emperor arrived with the van of his army on the frontiers of Provence, and was still so possessed with confidence of success that, during a few days when he was obliged to halt until the rest of his troops came up, he began to divide his future conquests among his officers, and, as a new incitement to serve him with zeal, gave them liberal promises of offices, lands, and honours in France.[11] The face of desolation, however, which presented itself to him when he entered the country began to damp his hopes, and convinced him that a monarch who in order to distress an enemy had voluntarily ruined one of his richest provinces would defend the rest with desperate obstinacy. Nor was it long before he became sensible that Francis's plan of defence was as prudent as it appeared to be extraordinary. His fleet, on which Charles chiefly depended for subsistence, was prevented for some time by contrary winds, and other accidents to which naval operations are subject, from approaching the French coast; even after its arrival it afforded at best a precarious and scanty supply to such a numerous body of troops;[12] nothing was to be found in the country itself for their support; nor could they draw any considerable aid from the dominions of the duke of Savoy, exhausted already by maintaining two great armies. The emperor was no less embarrassed how to employ than how to subsist his forces; for, though he was now in possession of almost an entire province, he could not be said to have the command of it while he held only defenceless towns, and while the French, besides their camp at Avignon, continued masters of Marseilles and Arles. At first he thought of attacking the camp, and of terminating the war by one decisive blow; but skilful officers who were appointed to view it declared the attempt to be utterly impracticable. He then gave orders to invest Marseilles and Arles, hoping that the French would quit their advantageous post in order to relieve them; but Montmorency, adhering firmly to his plan, remained immovable at Avignon, and the imperialists met with such a warm reception from the garrisons of both towns that they relinquished their enterprises with loss and disgrace. As a last effort, the emperor advanced once more towards

[11] Mém. de Bellay, 266, a.

[12] Sandoval, ii. 231.

Avignon, though with an army harassed by the perpetual incursions of small parties of the French light troops, weakened by disease, and dispirited by disasters which seemed the more intolerable because they were unexpected.

During these operations, Montmorency found himself exposed to greater danger from his own troops than from the enemy; and their inconsiderate valour went near to have precipitated the kingdom into those calamities which he with such industry and caution had endeavoured to avoid. Unaccustomed to behold an enemy ravaging their country almost without control, impatient of such long inaction, unacquainted with the slow and remote but certain effects of Montmorency's system of defence, the French wished for a battle with no less ardour than the imperialists. They considered the conduct of their general as a disgrace to their country. His caution they imputed to timidity; his circumspection, to want of spirit; and the constancy with which he pursued his plan, to obstinacy or pride. These reflections, whispered at first among the soldiers and subalterns were adopted, by degrees, by officers of higher rank; and as many of them envied Montmorency's favour with the king, and more were dissatisfied with his harsh, disgusting manner, the discontent soon became great in his camp, which was filled with general murmurings, and almost open complaints, against his measures. Montmorency, on whom the sentiments of his own troops made as little impression as the insults of the enemy, adhered steadily to his system; though, in order to reconcile the army to his maxims, no less contrary to the genius of the nation than to the ideas of war among undisciplined troops, he assumed an unusual affability in his deportment, and often explained, with great condescension, the motives of his conduct, the advantages which had already resulted from it, and the certain success with which it would be attended. At last Francis joined his army at Avignon, which, having received several reinforcements, he now considered as of strength sufficient to face the enemy. As he had put no small constraint upon himself in consenting that his troops should remain so long upon the defensive, it can hardly be doubted but that his fondness for what was daring and splendid, added to the impatience both of officers and soldiers, would at last have overruled Montmorency's salutary caution.[13]

Happily, the retreat of the enemy delivered the kingdom from the danger which any rash resolution might have occasioned. The emperor, after spending two inglorious months in Provence, without having performed anything suitable to his vast preparations or that could justify the confidence with which he had boasted of his own power, found that, besides Antonio de Leyva and other officers of distinction, he had lost one-half of his troops by diseases or by famine, and that the rest were in no condition to struggle any longer with calamities by which so many of their companions had perished. Necessity, therefore, extorted from him orders to retire; and, though he was some time in motion before the French suspected his intention, a body of light troops, assisted by crowds of peasants, eager to be revenged on those who had brought such desolation on their country, hung upon the rear of the imperialists, and, by seizing every favourable opportunity of attacking them, threw them often into confusion. The road by which they fled—for they pursued their march with such disorder and precipitation that it scarcely deserves the name of a retreat—was strewed with arms or baggage, which in their hurry and trepidation they had abandoned, and covered with the sick, the wounded, and the dead; insomuch that Martin Bellay, an eye-witness of their calamities, endeavours to give his readers some idea of them by comparing their miseries to

[13] Mém. de Bellay, 269, etc., 312, etc.

those which the Jews suffered from the victorious and destructive arms of the Romans.[14] If Montmorency at this critical moment had advanced with all his forces, nothing could have saved the whole imperial army from utter ruin. But that general, by standing so long and so obstinately on the defensive, had become cautious to excess; his mind, tenacious of any bent it had once taken, could not assume a contrary one as suddenly as the change of circumstances required; and he still continued to repeat his favourite maxims, that it was more prudent to allow the lion to escape than to drive him to despair, and that a bridge of gold should be made for a retreating enemy.

The emperor, having conducted the shattered remains of his troops to the frontiers of Milan, and appointed the marquis del Guasto to succeed Leyva in the government of that duchy, set out for Genoa. As he could not bear to expose himself to the scorn of the Italians after such a sad reverse of fortune, and did not choose, under his present circumstances, to revisit those cities through which he had so lately passed in triumph for one conquest and in certain expectation of another, he embarked directly for Spain.[15]

Nor was the progress of his arms on the opposite frontier of France such as to alleviate in any degree the losses which he had sustained in Provence. Bellay, by his address and intrigues, had prevailed on so many of the German princes to withdraw the contingent of troops which they had furnished to the king of the Romans that he was obliged to lay aside all thoughts of his intended irruption into Champagne. Though a powerful army levied in the Low Countries entered Picardy, which they found but feebly guarded while the strength of the kingdom was drawn towards the south, yet the nobility, taking arms with their usual alacrity, supplied by their spirit the defects of the king's preparations, and defended Peronne, and other towns which were attacked, with such vigour as obliged the enemy to retire without making any conquest of importance.[16]

Thus Francis, by the prudence of his own measures, and by the union and valour of his subjects, rendered abortive those vast efforts in which his rival had almost exhausted his whole force. As this humbled the emperor's arrogance no less than it checked his power, he was mortified more sensibly on this occasion than on any other during the course of the long contests between him and the French monarch.

One circumstance alone embittered the joy with which the success of the campaign inspired Francis. That was the death of the dauphin, his eldest son, a prince of great hopes, and extremely beloved by the people on account of his resemblance to his father. This, happening suddenly, was imputed to poison, not only by the vulgar, fond of ascribing the death of illustrious personages to extraordinary causes, but by the king and his ministers. The count de Montecuculi, an Italian nobleman, cup-bearer to the dauphin, being seized on suspicion and put to the torture, openly charged the imperial generals Gonzago and Leyva with having instigated him to the commission of that crime; he even threw out some indirect and obscure accusations against the emperor himself. At a time when all France was exasperated to the utmost against Charles, this uncertain and extorted charge was considered as an incontestable proof of guilt; while the confidence with which both he and his officers asserted their own innocence, together with the indignation as well as horror which they expressed on their being supposed capable of such a detestable action, were little attended to and less regarded.[17] It is evident,

[14] Mém. de Bellay, 316.—Sandoval, Hist. del Emper., ii. 232.
[15] Jovii Histor., lib. xxxv. p. 174, etc.
[16] Mém. de Bellay, 318, etc.
[17] Ibid., 289.

however, that the emperor could have no inducement to perpetrate such a crime, as Francis was still in the vigour of life himself, and had two sons, besides the dauphin, grown up almost to the age of manhood. That single consideration, without mentioning the emperor's general character, unblemished by the imputation of any deed resembling this in atrocity, is more than sufficient to counterbalance the weight of a dubious testimony uttered during the anguish of torture.[18] According to the most unprejudiced historians, the dauphin's death was occasioned by his having drunk too freely of cold water after overheating himself at tennis; and this account, as it is the most simple, is likewise the most credible. But if his days were cut short by poison, it is not improbable that the emperor conjectured rightly when he affirmed that it had been administered by the direction of Catherine of Medici, in order to secure the crown to the duke of Orleans, her husband.[19] The advantages resulting to her by the dauphin's death were obvious as well as great; nor did her boundless and daring ambition ever recoil from any action necessary towards attaining the objects which she had in view.

Next year opened with a transaction very uncommon, but so incapable of producing any effect that it would not deserve to be mentioned if it were not a striking proof of the personal animosity which mingled itself in all the hostilities between Charles and Francis, and which often betrayed them into such indecencies towards each other as lessened the dignity of both. Francis, accompanied by the peers and princes of the blood, having taken his seat in the parliament of Paris with the usual solemnities, the advocate-general appeared, and, after accusing Charles of Austria (for so he affected to call the emperor) of having violated the treaty of Cambray, by which he was absolved from the homage due to the crown of France for the counties of Artois and Flanders, insisted that, this treaty being now void, he was still to be considered as a vassal of the crown, and, by consequence, had been guilty of rebellion in taking arms against his sovereign; and therefore he demanded that Charles should be summoned to appear in person, or by his counsel, before the parliament of Paris, his legal judges, to answer for this crime. The request was granted; a herald repaired to the frontiers of Picardy and summoned him with the accustomed formalities to appear against a day prefixed. That term being expired, and no person appearing in his name, the parliament gave judgment, "That Charles of Austria had forfeited by rebellion and contumacy those fiefs; declared Flanders and Artois to be reunited to the crown of France;" and ordered their decree for this purpose to be published by sound of trumpet on the frontiers of these provinces.[20]

Soon after this vain display of his resentment rather than of his power, Francis marched towards the Low Countries, as if he had intended to execute the sentence which his parliament had pronounced, and to seize those territories which it had awarded to him. As the queen of Hungary, to whom her brother the emperor had committed the government of that part of his dominions, was not prepared for so early a campaign, he at first made some progress, and took several towns of importance. But, being obliged soon to leave his army in order to superintend the other operations of war, the Flemings, having assembled a numerous army, not only recovered most of the places which they had lost, but began to make conquests in their turn. At last they invested Terouenne, and the duke of Orleans, now dauphin by the death of his brother, and Montmorency, whom Francis had honoured with the constable's sword as the reward of his great services during the former cam-

[18] Sandoval, Hist. del Emper., ii. 231.
[19] Vera y Zuñiga, Vida de Carlos V., p. 75.
[20] Lettres et Mémoires d'Etat, par Ribier, 2 tom., Blois, 1666, tom. i. p. 1.

paign, determined to hazard a battle in order to relieve it. While they were advancing for this purpose, and within a few miles of the enemy, they were stopped short by the arrival of a herald from the queen of Hungary, acquainting him that a suspension of arms was now agreed upon.

This unexpected event was owing to the zealous endeavours of the two sisters, the queens of France and of Hungary, who had long laboured to reconcile the contending monarchs. The war in the Netherlands had laid waste the frontier provinces of both countries, without any real advantage to either. The French and Flemings equally regretted the interruption of their commerce, which was beneficial to both. Charles, as well as Francis, who had each strained to the utmost in order to support the vast operation of the former campaign, found that they could not now keep armies on foot in this quarter without weakening their operations in Piedmont, where both wished to push the war with the greatest vigour. All these circumstances facilitated the negotiations of the two queens; a truce was concluded, to continue in force for ten months, but it extended no farther than the Low Countries.[21]

In Piedmont the war was still prosecuted with great animosity; and though neither Charles nor Francis could make the powerful efforts to which this animosity prompted them, they continued to exert themselves like combatants whose rancour remains after their strength is exhausted. Towns were alternately lost and retaken; skirmishes were fought every day; and much blood was shed, without any action that gave a decided superiority to either side. At last the two queens, determining not to leave unfinished the good work which they had begun, prevailed, by their importunate solicitations, the one on her brother, the other on her husband, to consent also to a truce in Piedmont for three months. The conditions of it were that each should keep possession of what was in his hands, and, after leaving garrisons in the towns, should withdraw his army out of the province, and that plenipotentiaries should be appointed to adjust all matters in dispute by a final treaty.[22]

The powerful motives which inclined both princes to this accommodation have been often mentioned. The expenses of the war had far exceeded the sums which their revenues were capable of supplying, nor durst they venture upon any great addition to the impositions then established, as subjects had not yet learned to bear with patience the immense burdens to which they have become accustomed in modern times. The emperor in particular, though he had contracted debts which in that age appeared prodigious,[23] had it not in his power to pay the large arrears long due to his army. At the same time, he had no prospect of deriving any aid in money or men either from the pope or Venetians, though he had employed promises and threats, alternately, in order to procure it. But he found the former not only fixed in his resolution of adhering steadily to the neutrality which he had always declared to be suitable to his character, but passionately desirous of bringing about a peace. He perceived that the latter were still intent on their ancient object of holding the balance even between the rivals, and solicitous not to throw too great a weight into either scale.

What made a deeper impression on Charles than all these was the dread of the Turkish arms, which, by his league with Solyman, Francis had drawn upon him. Though Francis, without the assistance of a single ally, had a war to maintain against an enemy greatly superior in power to himself, yet so great was the horror of Christians, in that age, at any union with infidels, which they considered not only as dishonourable but profane, that it was long before he could be brought to avail himself of the obvious advantages resulting

[21] Mémoires de Ribier, 56. [22] Ibid., 62. [23] Ibid., 294.

from such a confederacy. Necessity at last surmounted his delicacy and scruples. Towards the close of the preceding year, La Forest, a secret agent at the Ottoman Porte, had concluded a treaty with the sultan, whereby Solyman engaged to invade the kingdom of Naples during the next campaign, and to attack the king of the Romans in Hungary with a powerful army, while Francis undertook to enter the Milanese at the same time with a proper force. Solyman had punctually performed what was incumbent on him. Barbarossa with a great fleet appeared on the coast of Naples, filled that kingdom, from which all the troops had been drawn towards Piedmont, with consternation, landed without resistance near Taranto, obliged Castro, a place of some strength, to surrender, plundered the adjacent country, and was taking measures for securing and extending his conquests, when the expected arrival of Doria, together with the pope's galleys and a squadron of the Venetian fleet, made it prudent for him to retire. In Hungary the progress of the Turks was more formidable. Mahmet, their general, after gaining several small advantages, defeated the Germans in a great battle at Essek on the Drave.[24] Happily for Christendom, it was not in Francis's power to execute with equal exactness what he had stipulated; nor could he assemble at this juncture an army strong enough to penetrate into the Milanese. By this he failed in recovering possession of that duchy; and Italy was not only saved from the calamities of a new war, but from feeling the desolating rage of the Turkish arms, as an addition to all that it had suffered.[25] As the emperor knew that he could not long resist the efforts of two such powerful confederates, nor could expect that the same fortunate accidents would concur a second time to deliver Naples and to preserve the Milanese; as he foresaw that the Italian states would not only tax him loudly with insatiable ambition, but might even turn their arms against him, if he should be so regardless of their danger as obstinately to protract the war, he thought it necessary, both for his safety and reputation, to give his consent to a truce. Nor was Francis willing to sustain all the blame of obstructing the re-establishment of tranquillity, or to expose himself on that account to the danger of being deserted by the Swiss and other foreigners in his service. He even began to apprehend that his own subjects would serve him coldly if, by contributing to aggrandize the power of the infidels, which it was his duty, and had been the ambition of his ancestors, to depress, he continued to act in direct opposition to all the principles which ought to influence a monarch distinguished by the title of Most Christian King. He chose, for all these reasons, rather to run the risk of disobliging his new ally, the sultan, than, by an unseasonable adherence to the treaty with him, to forfeit what was of greater consequence.

But, though both parties consented to a truce, the plenipotentiaries found insuperable difficulties in settling the articles of a definitive treaty. Each of the monarchs, with the arrogance of a conqueror, aimed at giving law to the other; and neither would so far acknowledge his inferiority as to sacrifice any point of honour or to relinquish any matter of right; so that the plenipotentiaries spent the time in long and fruitless negotiations, and separated after agreeing to prolong the truce for a few months.

The pope, however, did not despair of accomplishing a point in which the plenipotentiaries had failed, and took upon himself the sole burden of negotiating a peace. To form a confederacy capable of defending Christendom from the formidable inroads of the Turkish arms, and to concert effectual measures for the extirpation of the Lutheran heresy, were two great objects which Paul had much at heart, and he considered the union of the emperor with the king

[24] Istuanhaffii Hist. Hung., lib. xlii. p. 139 [25] Jovii Hist., lib. xxxv. p. 183.

of France as an essential preliminary to both. To be the instrument of reconciling these contending monarchs, whom his predecessors by their interested and indecent intrigues had so often embroiled, was a circumstance which could not fail of throwing distinguished lustre on his character and administration. Nor was he without hopes that, while he pursued this laudable end, he might secure advantages to his own family, the aggrandizing of which he did not neglect, though he aimed at it with a less audacious ambition than was common among the popes of that century. Influenced by these considerations, he proposed an interview between the two monarchs at Nice, and offered to repair thither in person that he might act as mediator in composing all their differences. When a pontiff of a venerable character, and of a very advanced age, was willing, from his zeal for peace, to undergo the fatigues of so long a journey, neither Charles nor Francis could with decency decline the interview. But, though both came to the place of rendezvous, so great was the difficulty of adjusting the ceremonial, or such the remains of distrust and rancour on each side, that they refused to see one another, and everything was transacted by the intervention of the pope, who visited them alternately. With all his zeal and ingenuity, he could not find out a method of removing the obstacles which prevented a final accommodation, particularly those arising from the possession of the Milanese; nor was all the weight of his authority sufficient to overcome the obstinate perseverance of either monarch in asserting his own claims. At last, that he might not seem to have laboured altogether without effect, he prevailed on them to sign a truce for ten years, upon the same condition with the former, that each should retain what was now in his possession, and in the mean time should send ambassadors to Rome, to discuss their pretensions at leisure.[26]

Thus ended a war of no long continuance, but very extensive in its operations, and in which both parties exerted their utmost strength. Though Francis failed in the object that he had principally in view, the recovery of the Milanese, he acquired, nevertheless, great reputation by the wisdom of his measures, as well as the success of his arms, in repelling a formidable invasion; and by keeping possession of one-half of the duke of Savoy's dominions he added no inconsiderable accession of strength to his kingdom. Whereas Charles, repulsed and baffled, after having boasted so arrogantly of victory, purchased an inglorious truce, by sacrificing an ally who had rashly confided too much in his friendship and power. The unfortunate duke murmured, complained, and remonstrated against a treaty so much to his disadvantage, but in vain; he had no means of redress, and was obliged to submit. Of all his dominions, Nice, with its dependencies, was the only corner of which he himself kept possession. He saw the rest divided between a powerful invader and the ally to whose protection he had trusted, while he remained a sad monument of the imprudence of weak princes, who, by taking part in the quarrel of mighty neighbours, between whom they happen to be situated, are crushed and overwhelmed in the shock.

A few days after signing the treaty of truce, the emperor set sail for Barcelona, but was driven by contrary winds to the island of St. Margaret, on the coast of Provence. When Francis, who happened to be not far distant, heard of this, he considered it as an office of civility to invite him to take shelter in his dominions, and proposed a personal interview with him at Aigues-mortes. The emperor, who would not be outdone by his rival in complaisance, instantly repaired thither. As soon as he cast anchor in the road, Francis, without

[26] Recueil des Traités, ii. 210.—Relazione di Nicolo Tiepolo del l'Abbocamento di Nizza, ap. Du Mont, Corps Diplomatique, par. ii. p. 174.

waiting to settle any point of ceremony, but relying implicitly on the emperor's honour for his security, visited him on board his galley, and was received and entertained with the warmest demonstrations of esteem and affection. Next day the emperor repaid the confidence which the king had placed in him. He landed at Aigues-mortes with as little precaution, and met with a reception equally cordial. He remained on shore during the night, and in both visits the two monarchs vied with each other in expressions of respect and friendship.[27] After twenty years of open hostilities or of secret enmity, after so many injuries reciprocally inflicted or endured, after having formally given the lie and challenged one another to single combat, after the emperor had inveighed so publicly against Francis as a prince void of honour or integrity, and after Francis had accused him of being accessory to the murder of his eldest son, such an interview appears altogether singular, and even unnatural. But the history of these monarchs abounds with such surprising transitions. From implacable hatred they appeared to pass in a moment to the most cordial reconcilement; from suspicion and distrust, to perfect confidence; and from practising all the dark arts of a deceitful policy, they could assume, of a sudden, the liberal and open manners of two gallant gentlemen.

The pope, besides the glory of having restored peace to Europe, gained, according to his expectation, a point of great consequence to his family by prevailing on the emperor to betroth Margaret of Austria, his natural daughter, formerly the wife of Alexander de' Medici, to his grandson, Octavio Farnese, and, in consideration of this marriage, to bestow several honours and territories upon his future son-in-law. A very tragical event which happened about the beginning of the year 1537 had deprived Margaret of her first husband. That young prince, whom the emperor's partiality had raised to the supreme power in Florence upon the ruins of the public liberty, neglected entirely the cares of government, and abandoned himself to the most dissolute debauchery. Lorenzo de' Medici, his nearest kinsman, was not only the companion but director of his pleasures, and, employing all the powers of a cultivated and inventive genius in this dishonourable ministry, added such elegance as well as variety to vice as gained him an absolute ascendant over the mind of Alexander. But while Lorenzo seemed to be sunk in luxury, and affected such an appearance of indolence and effeminacy that he would not wear a sword, and trembled at the sight of blood, he concealed under that disguise a dark, designing, audacious spirit. Prompted either by the love of liberty or allured by the hope of attaining the supreme power, he determined to assassinate Alexander, his benefactor and friend. Though he long revolved this design in his mind, his reserved and suspicious temper prevented him from communicating it to any person whatever; and, continuing to live with Alexander in their usual familiarity, he one night, under pretence of having secured him an assignation with a lady of high rank whom he had often solicited, drew that unwary prince into a secret apartment of his house, and there stabbed him while he lay carelessly on a couch, expecting the arrival of the lady whose company he had been promised. But no sooner was the deed done than, standing astonished, and struck with horror at its atrocity, he forgot in a moment all the motives which had induced him to commit it. Instead of rousing the people to recover their liberty by publishing the death of the tyrant, instead of taking any step towards opening his own way to the dignity now vacant, he locked the door of the apartment, and, like a man

[27] Sandoval, Hist., vol. ii. 238.—Relation de l'Entrevue de Charles V. et François I., par M. de la Rivoire.—Hist. de Langued., par D. D. De Vic et Vaisette, tom. v., Preuves, p. 93.

bereaved of reason and presence of mind, fled with the utmost precipitation out of the Florentine territories. It was late next morning before the fate of the unfortunate prince was known, as his attendants, accustomed to his irregularities, never entered his apartment early. Immediately the chief persons in the state assembled. Being induced partly by the zeal of Cardinal Cibo for the house of Medici, to which he was nearly related, partly by the authority of Francis Guicciardini, who recalled to their memory and represented in striking colours the caprice as well as turbulence of their ancient popular government, they agreed to place Cosmo de' Medici, a youth of eighteen, the only male heir of that illustrious house, at the head of the government; though at the same time such was their love of liberty that they established several regulations in order to circumscribe and moderate his power.

Meanwhile, Lorenzo, having reached a place of safety, made known what he had done to Philip Strozzi and the other Florentines who had been driven into exile, or who had voluntarily retired, when the republican form of government was abolished in order to make way for the dominion of the Medici. By them the deed was extolled with extravagant praises, and the virtue of Lorenzo was compared with that of the elder Brutus, who disregarded the ties of blood, or with that of the younger, who forgot the friendship and favours of the tyrant, that they might preserve or recover the liberty of their country.[28] Nor did they rest satisfied with empty panegyrics: they immediately quitted their different places of retreat, assembled forces, animated their vassals and partisans to take arms and to seize this opportunity of re-establishing the public liberty on its ancient foundation. Being openly assisted by the French ambassador at Rome, and secretly encouraged by the pope, who bore no good will to the house of Medici, they entered the Florentine dominions with a considerable body of men. But the persons who had elected Cosmo possessed not only the means of supporting his government, but abilities to employ them in the most proper manner. They levied, with the greatest expedition, a good number of troops; they endeavoured by every art to gain the citizens of greatest authority, and to render the administration of the young prince agreeable to the people. Above all, they courted the emperor's protection, as the only firm foundation of Cosmo's dignity and power. Charles, knowing the propensity of the Florentines to the friendship of France, and how much all the partisans of a republican government detested him as the oppressor of their liberties, saw it to be greatly for his interest to prevent the re-establishment of the ancient constitution in Florence. For this reason, he not only acknowledged Cosmo as head of the Florentine state, and conferred on him all the titles of honour with which Alexander had been dignified, but engaged to defend him to the utmost, and, as a pledge of this, ordered the commanders of such of his troops as were stationed on the frontiers of Tuscany to support him against all aggressors. By their aid, Cosmo obtained an easy victory over the exiles, whose troops he surprised in the night-time and took most of the chiefs prisoners; an event which broke all their measures and fully established his own authority. But though he was extremely desirous of the additional honour of marrying the emperor's daughter, the widow of his predecessor, Charles, secure already of his attachment, chose rather to gratify the pope by bestowing her on his nephew.[29]

During the war between the emperor and Francis, an event had happened which abated in some degree the warmth and cordiality of friendship which

[28] Lettere de' Principi, tom. iii. p. 52.

[29] Jovii Hist., c. xcviii. p. 218, etc.—Belcarii Comment., lib. xxii. p. 696.—Istoria de' suoi Tempi di Giov. Bat. Adriani, Ven., 1587, p. 10.

had long subsisted between the latter and the king of England. James the Fifth of Scotland, an enterprising young prince, having heard of the emperor's intention to invade Provence, was so fond of showing that he did not yield to any of his ancestors in the sincerity of his attachment to the French crown, and so eager to distinguish himself by some military exploit, that he levied a body of troops with an intention of leading them in person to the assistance of the king of France. Though some unfortunate accident prevented his carrying any troops into France, nothing could divert him from going thither in person. Immediately upon his landing he hastened to Provence, but had been detained so long in his voyage that he came too late to have any share in the military operations, and met the king on his return after the retreat of the imperialists. But Francis was so greatly pleased with his zeal, and no less with his manners and conversation, that he could not refuse him his daughter Magdalen, whom he demanded in marriage. It mortified Henry extremely to see a prince of whom he was immoderately jealous form an alliance from which he derived such an accession of reputation as well as security.[30] He could not, however, with decency oppose Francis's bestowing his daughter upon a monarch descended from a race of princes the most ancient and faithful allies of the French crown. But when James, upon the sudden death of Magdalen, demanded as his second wife Mary of Guise, he warmly solicited Francis to deny his suit, and, in order to disappoint him, asked that lady in marriage for himself. When Francis preferred the Scottish king's sincere courtship to his artful and malevolent proposal, he discovered much dissatisfaction. The pacification agreed upon at Nice, and the familiar interview of the two rivals at Aigues-mortes, filled Henry's mind with new suspicions, as if Francis had altogether renounced his friendship for the sake of new connections with the emperor. Charles, thoroughly acquainted with the temper of the English king, and watchful to observe all the shiftings and caprices of his passions, thought this a favourable opportunity of renewing his negotiations with him, which had been long broken off. By the death of Queen Catharine, whose interest the emperor could not with decency have abandoned, the chief cause of their discord was removed; so that, without touching upon the delicate question of her divorce, he might now take what measures he thought most effectual for regaining Henry's good will. For this purpose, he began with proposing several marriage-treaties to the king. He offered his niece, a daughter of the king of Denmark, to Henry himself; he demanded the princess Mary for one of the princes of Portugal, and was even willing to receive her as the king's illegitimate daughter.[31] Though none of these projected alliances ever took place, or perhaps were ever seriously intended, they occasioned such frequent intercourse between the courts, and so many reciprocal professions of civility and esteem, as considerably abated the edge of Henry's rancour against the emperor, and paved the way for that union between them which afterwards proved so disadvantageous to the French king.

The ambitious schemes in which the emperor had been engaged, and the wars he had been carrying on for some years, proved, as usual, extremely favourable to the progress of the Reformation in Germany. While Charles was absent upon his African expedition, or intent on his projects against France, his chief object in Germany was to prevent the dissensions about religion from disturbing the public tranquillity, by granting such indulgence to the Protestant princes as might induce them to concur with his measures, or at least hinder them from taking part with his rival. For this reason, he was careful to secure to the Protestants the possession of all the advantages

[30] Hist. of Scotland, vol. i. p. 75. [31] Mém. de Ribier, tom. i. p. 496.

which they had gained by the articles of pacification at Nuremberg, in the year 1532;[32] and, except some slight trouble from the proceedings of the imperial chamber, they met with nothing to disturb them in the exercise of their religion, or to interrupt the successful zeal with which they propagated their opinions. Meanwhile, the pope continued his negotiations for convoking a general council; and though the Protestants had expressed great dissatisfaction with his intention to fix upon Mantua as the place of meeting, he adhered obstinately to his choice, and issued a bull on the 2nd of June, 1536, appointing it to assemble in that city on the 23rd of May, the year following; he nominated three cardinals to preside in his name, enjoined all Christian princes to countenance it by their authority, and invited the prelates of every nation to attend in person. This summons of a council, an assembly which, from its nature and intention, demanded quiet times as well as pacific dispositions, at the very juncture when the emperor was on his march towards France and ready to involve a great part of Europe in the confusions of war, appeared to every person extremely unseasonable. It was intimated, however to all the different courts by nuncios despatched on purpose.[33] With an intention to gratify the Germans, the emperor, during his residence in Rome, had warmly solicited the pope to call a council; but, being at the same time willing to try every art in order to persuade Paul to depart from the neutrality which he preserved between him and Francis, he sent Heldo, his vice-chancellor, into Germany, along with a nuncio despatched thither, instructing him to second all the nuncio's representations and to enforce them with the whole weight of the imperial authority. The Protestants gave them audience at Smalkalde, where they had assembled in a body in order to receive them. But, after weighing all their arguments, they unanimously refused to acknowledge a council summoned in the name and by the authority of the pope alone, in which he assumed the sole right of presiding, which was to be held in a city not only far distant from Germany, but subject to a prince who was a stranger to them and closely connected with the court of Rome, and to which their divines could not repair with safety, especially after their doctrines had been stigmatized in the very bull of convocation with the name of heresy. These and many other objections against the council, which appeared to them unanswerable, they enumerated in a large manifesto which they published in vindication of their conduct.[34]

Against this the court of Rome exclaimed, as a flagrant proof of their obstinacy and presumption, and the pope still persisted in his resolution to hold the council at the time and in the place appointed. But, some unexpected difficulties being started by the duke of Mantua, both about the right of jurisdiction over the persons who resorted to the council, and the security of his capital amidst such a concourse of strangers, the pope, after fruitless endeavours to adjust these, first prorogued the council for some months, and afterwards, transferring the place of meeting to Vicenza, in the Venetian territories, appointed it to assemble on the 1st of May in the following year. As neither the emperor nor the French king, who had not then come to any accommodation, would permit their subjects to repair thither, not a single prelate appeared on the day prefixed, and the pope, that his authority might not become altogether contemptible by so many ineffectual efforts to convoke that assembly, put off the meeting by an indefinite prorogation.[35]

But, that he might not seem to have turned his whole attention towards a

[32] Du Mont, Corps Diplom., tom. iv. part. ii. p. 138.
[33] Pallavic., Hist. Conc. Trid., 113.
[34] Sleid., lib. xii. 123, etc.—Seckend., Com. lib. iii. p. 143, etc.
[35] F. Paul, 117.—Pallavic., 177.

reformation which he was not able to accomplish, while he neglected that which was in his own power, he deputed a certain number of cardinals and bishops, with full authority to inquire into the abuses and corruptions of the Roman court and to propose the most effectual method of removing them. This scrutiny, undertaken with reluctance, was carried on slowly and with remissness. All defects were touched with a gentle hand, afraid of probing too deep or of discovering too much. But even by this partial examination many irregularities were detected and many enormities exposed to light, while the remedies which they suggested as most proper were either inadequate or were never applied. The report and resolution of these deputies, though intended to be kept secret, were transmitted by some accident into Germany, and, being immediately made public, afforded ample matter for reflection and triumph to the Protestants [36] On the one hand, they demonstrated the necessity of a reformation in the head as well as the members of the Church, and even pointed out many of the corruptions against which Luther and his followers had remonstrated with the greatest vehemence. They showed, on the other hand, that it was vain to expect this reformation from ecclesiastics themselves, who, as Luther strongly expressed it, piddled at curing warts, while they overlooked or confirmed ulcers.[37]

The earnestness with which the emperor seemed at first to press their acquiescing in the pope's scheme of holding a council in Italy alarmed the Protestant princes so much that they thought it prudent to strengthen their confederacy by admitting several new members, who solicited that privilege, particularly the king of Denmark. Heldo, who during his residence in Germany had observed all the advantages which they derived from that union, endeavoured to counterbalance its effects by an alliance among the Catholic powers of the empire. This league, distinguished by the name of *holy*, was merely defensive, and, though concluded by Heldo in the emperor's name, was afterwards disowned by him, and subscribed by very few princes.[38]

The Protestants soon got intelligence of this association, notwithstanding all the endeavours of the contracting parties to conceal it; and their zeal, always apt to suspect and to dread, even to excess, everything that seemed to threaten religion, instantly took the alarm, as if the emperor had been just ready to enter upon the execution of some formidable plan for the extirpation of their opinions. In order to disappoint this, they held frequent consultations, they courted the kings of France and England with great assiduity, and even began to think of raising the respective contingents, both in men and money, which they were obliged to furnish by the treaty of Smalkalde. But it was not long before they were convinced that these apprehensions were without foundation, and that the emperor, to whom repose was absolutely necessary after efforts so much beyond his strength in the war with France, had no thoughts of disturbing the tranquillity of Germany. As a proof of this, at an interview with the Protestant princes in Frankfort his ambassadors agreed that all concessions in their favour, particularly those contained in the pacification of Nuremberg, should continue in force for fifteen months; that during this period all proceedings of the imperial chamber against them should be suspended; that a conference should be held by a few divines of each party, in order to discuss the points in controversy, and to propose articles of accommodation which should be laid before the next diet. Though the emperor, that he might not irritate the pope, who remonstrated against the first part of this agreement as impolitic, and against the latter as an impious encroachment upon his prerogative, never formally ratified this

[36] Sleid., 233. [37] Seck., lib. iii. 164. [38] Ibid., 171.—Recueil des Traités.

convention, it was observed with considerable exactness, and greatly strengthened the basis of that ecclesiastical liberty for which the Protestants contended.[39]

A few days after the convention at Frankfort, George, duke of Saxony, died; and his death was an event of great advantage to the Reformation. That prince, the head of the Albertine or younger branch of the Saxon family, possessed, as marquis of Misnia and Thuringia, extensive territories, comprehending Dresden, Leipsic, and other cities now the most considerable in the electorate. From the first dawn of the Reformation he had been its enemy as avowedly as the electoral princes were its protectors, and had carried on his opposition not only with all the zeal flowing from religious prejudices, but with a virulence inspired by personal antipathy to Luther, and embittered by the domestic animosity subsisting between him and the other branch of his family. By his death without issue, his succession fell to his brother Henry, whose attachment to the Protestant religion surpassed, if possible, that of his predecessors to Popery. Henry no sooner took possession of his new dominions than, disregarding a clause in George's will, dictated by his bigotry, whereby he bequeathed all his territories to the emperor and king of the Romans if his brother should attempt to make any innovation in religion, he invited some Protestant divines, and among them Luther himself, to Leipsic. By their advice and assistance, he overturned in a few weeks the whole system of ancient rites, establishing the full exercise of the Reformed religion, with the universal applause of his subjects, who had long wished for this change, which the authority of their duke alone had hitherto prevented.[40] This revolution delivered the Protestants from the danger to which they were exposed by having an inveterate enemy situated in the middle of their territories; and they had now the satisfaction of seeing that the possessions of the princes and cities attached to their cause extended in one great and almost unbroken line from the shore of the Baltic to the banks of the Rhine.

Soon after the conclusion of the truce of Nice, an event happened which satisfied all Europe that Charles had prosecuted the war to the utmost extremity that the state of his affairs would permit. Vast arrears were due to his troops, whom he had long amused with vain hopes and promises. As they now foresaw what little attention would be paid to their demands when by the re-establishment of peace their services became of less importance, they lost all patience, broke out into an open mutiny, and declared that they thought themselves entitled to seize by violence what was detained from them contrary to all justice. Nor was this spirit of sedition confined to one part of the emperor's dominions: the mutiny was almost as general as the grievances which gave rise to it. The soldiers in the Milanese plundered the open country without control, and filled the capital itself with consternation. Those in garrison at Goletta threatened to give up that important fortress to Barbarossa. In Sicily the troops proceeded to still greater excesses: having driven away their officers, they elected others in their stead, defeated a body of men whom the viceroy sent against them, took and pillaged several cities, conducting themselves all the while in such a manner that their operations resembled rather the regular proceedings of a concerted rebellion than the rashness and violence of military mutiny. But by the address and prudence of the generals, who, partly by borrowing money in their own name or in that of their master, partly by extorting large sums from the cities in their respective provinces, raised what was sufficient to discharge the arrears of the soldiers, these insurrections were quelled. The greater part of the troops were disbanded, such a number

[39] F. Paul, 82.—Sleid., 247.—Seck., lib. iii. 200. [40] Sleid., 249.

only being kept in pay as was necessary for garrisoning the principal towns and protecting the sea-coasts from the insults of the Turks.[41]

It was happy for the emperor that the abilities of his generals extricated him out of these difficulties, which it exceeded his own power to have removed. He had depended, as his chief resource for discharging the arrears due to his soldiers, upon the subsidies which he expected from his Castilian subjects. For this purpose he assembled the cortes of Castile at Toledo, and, having represented to them the extraordinary expense of his military operations, together with the great debts in which these had necessarily involved him, he proposed to levy such supplies as the present exigency of his affairs demanded, by a general excise on commodities. But the Spaniards already felt themselves oppressed with a load of taxes unknown to their ancestors. They had often complained that their country was drained not only of its wealth, but of its inhabitants, in order to prosecute quarrels in which it was not interested and to fight battles for which it could reap no benefit, and they determined not to add voluntarily to their own burdens, or to furnish the emperor with the means of engaging in new enterprises, no less ruinous to the kingdom than most of those which he had hitherto carried on. The nobles, in particular, inveighed with great vehemence against the imposition proposed, as an encroachment upon the valuable and distinguishing privilege of their order,—that of being exempted from the payment of any tax. They demanded a conference with the representatives of the cities concerning the state of the nation. They contended that if Charles would imitate the example of his predecessors, who had resided constantly in Spain, and would avoid entangling himself in a multiplicity of transactions foreign to the concerns of his Spanish dominions, the stated revenues of the crown would be fully sufficient to defray the necessary expenses of government. They represented to him that it would be unjust to lay new burdens upon the people while this prudent and effectual method of re-establishing public credit and securing national opulence was totally neglected.[42] Charles, after employing arguments, entreaties, and promises, but without success, in order to overcome their obstinacy, dismissed the assembly with great indignation. From that period neither the nobles nor the prelates have been called to these assemblies, on pretence that such as pay no part of the public taxes should not claim any vote in laying them on. None have been admitted to the cortes but the procurators or representatives of eighteen cities. These, to the number of thirty-six, being two from each community, form an assembly which bears no resemblance either in power or dignity or independence to the ancient cortes, and are absolutely at the devotion of the court in all their determinations.[43] Thus the imprudent zeal with which the Castilian nobles had supported the regal prerogative in opposition to the claims of the commons during the commotions in the year 1521 proved at last fatal to their own body. By enabling Charles to depress one of the orders in the state, they destroyed that balance to which the constitution owed its security, and put it in his power, or in that of his successors, to humble the other and to strip it gradually of its most valuable privileges.

At that time, however, the Spanish grandees still possessed extraordinary power as well as privileges, which they exercised and defended with a haughtiness peculiar to themselves. Of this the emperor himself had a mortifying proof during the meeting of the cortes at Toledo. As he was returning one day from a tournament, accompanied by most of the nobility, one of the

[41] Jovii Histor., lib. xxxvii. 203 c.—Sandoval.—Ferreras, ix. 209.

[42] Sandoval, Hist., vol. ii. 269.

[43] Ibid., 269.—La Science du Gouvernement, par. M. de Réal, tom. ii. p. 102.

sergeants of the court, out of officious zeal to clear the way for the emperor, struck the duke of Infantado's horse with his batoon, which that haughty grandee resenting, drew his sword, beat and wounded the officer. Charles, provoked at such an insolent deed in his presence, immediately ordered Ronquillo, the judge of the court, to arrest the duke. Ronquillo advanced to execute his charge, when the constable of Castile, interposing, checked him, claimed the right of jurisdiction over a grandee as a privilege of his office, and conducted Infantado to his own apartment. All the nobles present were so pleased with the boldness of the constable in asserting the rights of their order that, deserting the emperor, they attended him to his house with infinite applauses, and Charles returned to the palace, unaccompanied by any person but the Cardinal Tavera. The emperor, how sensible soever of the affront, saw the danger of irritating a jealous and high-spirited order of men, whom the slightest appearance of offence might drive to the most unwarrantable extremities. For that reason, instead of straining at any ill-timed exertion of his prerogative, he prudently connived at the arrogance of a body too potent for him to control, and sent next morning to the duke of Infantado, offering to inflict what punishment he pleased on the person who had affronted him. The duke, considering this as a full reparation to his honour, instantly forgave the officer, bestowing on him, besides, a considerable present as a compensation for his wound. Thus the affair was entirely forgotten ;[44] nor would it have deserved to be mentioned, if it were not a striking example of the high and independent spirit of the Spanish nobles in that age, as well as an instance of the emperor's dexterity in accommodating his conduct to the circumstances in which he was placed.

Charles was far from discovering the same condescension or lenity towards the citizens of Ghent, who not long after broke out into open rebellion against his government. An event which happened in the year 1536 gave occasion to this rash insurrection, so fatal to that flourishing city. At that time the queen-dowager of Hungary, governess of the Netherlands, having received orders from her brother to invade France with all the forces which she could raise, she assembled the states of the United Provinces, and obtained from them a subsidy of twelve hundred thousand florins to defray the expense of that undertaking. Of this sum the county of Flanders was obliged to pay a third part as its proportion. But the citizens of Ghent, the most considerable city in that country, averse to a war with France, with which they carried on an extensive and gainful commerce, refused to pay their quota, and contended that, in consequence of stipulations between them and the ancestors of their present sovereign, the emperor, no tax could be levied upon them unless they had given their express consent to the imposition of it. The governess, on the other hand, maintained that as the subsidy of twelve hundred thousand florins had been granted by the states of Flanders, of which their representatives were members, they were bound, of course, to conform to what was enacted by them, as it is the first principle in society, on which the tranquillity and order of government depend, that the inclinations of the minority must be overruled by the judgment and decision of the superior number.

The citizens of Ghent, however, were not willing to relinquish a privilege of such high importance as that which they claimed. Having been accustomed under the government of the house of Burgundy to enjoy extensive immunities and to be treated with much indulgence, they disdained to sacrifice to the delegated power of a regent those rights and privileges which they had often and successfully asserted against their greatest princes. The queen, though

[44] Sandoval, ii. 274.—Ferreras, ix. 212.—Miniana, 113.

she endeavoured at first to soothe them and to reconcile them to their duty by various concessions, was at last so much irritated by the obstinacy with which they adhered to their claim that she ordered all the citizens of Ghent on whom she could lay hold in any part of the Netherlands to be arrested. But this rash action made an impression very different from what she expected on men whose minds were agitated with all the violent passions which indignation at oppression and zeal for liberty inspire. Less affected with the danger of their friends and companions than irritated at the governess, they openly despised her authority, and sent deputies to the other towns of Flanders, conjuring them not to abandon their country at such a juncture, but to concur with them in vindicating its rights against the encroachments of a woman who either did not know or did not regard their immunities.

All but a few inconsiderable towns declined entering into any confederacy against the governess: they joined, however, in petitioning her to put off the term for payment of the tax so long that they might have it in their power to send some of their number into Spain, in order to lay their title to exemption before their sovereign. This she granted with some difficulty. But Charles received their commissioners with a haughtiness to which they were not accustomed from their ancient princes, and, enjoining them to yield the same respectful obedience to his sister which they owed to him in person, remitted the examination of their claims to the council of Malines. This court, which is properly a standing committee of the parliament or states of the country, and which possesses the supreme jurisdiction in all matters civil as well as criminal,[45] pronounced the claim of the citizens of Ghent to be ill-founded, and appointed them forthwith to pay their proportion of the tax.

Enraged at this decision, which they considered as notoriously unjust, and rendered desperate on seeing their rights betrayed by that very court which was bound to protect them, the people of Ghent ran to arms in a tumultuary manner, drove such of the nobility as resided among them out of the city, secured several of the emperor's officers, put one of them to the torture, whom they accused of having stolen or destroyed the record that contained a ratification of the privileges of exemption from taxes which they pleaded, chose a council, to which they committed the direction of their affairs, gave orders for repairing and adding to their fortifications, and openly erected the standard of rebellion against their sovereign.[46] Sensible, however, of their inability to support what their zeal had prompted them to undertake, and desirous of securing a protector against the formidable forces by which they might expect soon to be attacked, they sent some of their number to Francis, offering not only to acknowledge him as their sovereign and to put him in immediate possession of Ghent, but to assist him with all their forces in recovering those provinces in the Netherlands which had anciently belonged to the crown of France and had been so lately reunited to it by the decree of the parliament of Paris. This unexpected proposition, coming from persons who had it in their power to have performed instantly one part of what they undertook, and who could contribute so effectually towards the execution of the whole, opened great as well as alluring prospects to Francis's ambition. The counties of Flanders and Artois were of greater value than the duchy of Milan, which he had so long laboured to acquire with passionate but fruitless desire; their situation with respect to France rendered it more easy to conquer or to defend them; and they might be formed into a separate principality for the duke of

[45] Descrittione di tutti i Paesi Bassi di Lud. Guicciardini, Ant., 1571, fol., p. 53.

[46] Mémoires sur la Révolte des Gantois en 1539, par Jean d'Hollander, écrits en 1547, A la Haye, 1747.—P. Heuter., Rer. Austr., lib. xi. p. 262.—Sandoval, Histor., tom. ii. p. 282.

Orleans, no less suitable to his dignity than that which his father aimed at obtaining. To this the Flemings, who were acquainted with the French manners and government, would not have been averse; and his own subjects, weary of their destructive expeditions into Italy, would have turned their arms towards this quarter with more good will and with greater vigour. Several considerations, nevertheless, prevented Francis from laying hold of this opportunity, the most favourable in appearance which had ever presented itself of extending his own dominions or distressing the emperor. From the time of their interview at Aigues-mortes, Charles had continued to court the king of France with wonderful attention, and often flattered him with hopes of gratifying at last his wishes concerning the Milanese by granting the investiture of it either to him or to one of his sons. But though these hopes and promises were thrown out with no other intention than to detach him from his confederacy with the Grand Seignior, or to raise suspicions in Soliman's mind by the appearance of a cordial and familiar intercourse subsisting between the courts of Paris and Madrid, Francis was weak enough to catch at the shadow by which he had been so often amused, and, from eagerness to seize it, relinquish what must have proved a more substantial acquisition. Besides this, the dauphin, jealous to excess of his brother, and unwilling that a prince who seemed to be of a restless and enterprising nature should obtain an establishment which, from its situation, might be considered almost as a domestic one, made use of Montmorency, who, by a singular piece of good fortune, was at the same time the favourite of the father and of the son, to defeat the application of the Flemings and to divert the king from espousing their cause. Montmorency, accordingly, represented in strong terms the reputation and power which Francis would acquire by recovering that footing which he had formerly in Italy, and that nothing could be so efficacious to overcome the emperor's aversion to this as a sacred adherence to the truce, and refusing, on an occasion so inviting, to countenance the rebellious subjects of his rival. Francis, apt of himself to overrate the value of the Milanese, because he estimated it from the length of time as well as from the great efforts which he had employed in order to reconquer it, and fond of every action which had the appearance of generosity, assented without difficulty to sentiments so agreeable to his own, rejected the propositions of the citizens of Ghent, and dismissed their deputies with a harsh answer.[47]

Not satisfied with this, by a further refinement in generosity, he communicated to the emperor his whole negotiation with the malecontents, and all that he knew of their schemes and intentions.[48] This convincing proof of Francis's disinterestedness relieved Charles from the most disquieting apprehensions, and opened a way to extricate himself out of all his difficulties. He had already received full information of all the transactions in the Netherlands, and of the rage with which the people of Ghent had taken arms against his government. He was thoroughly acquainted with the genius and qualities of his subjects in that country; with their love of liberty, their attachment to their ancient privileges and customs, as well as the invincible obstinacy with which their minds, slow, but firm and persevering, adhered to any measure on which they had deliberately resolved. He easily saw what encouragement and support they might have derived from the assistance of France; and, though now free from any danger in that quarter, he was still sensible that some immediate as well as vigorous interposition was necessary in order to prevent the spirit of disaffection from spreading in a country where the number of

[47] Mém. de Bellay, p. 263.—P. Heuter., Rer. Austr., lib. xi. 263.

[48] Sandoval, Histor., tom. ii. 284.

cities, the multitude of people, together with the great wealth diffused among them by commerce, rendered it peculiarly formidable and would supply it with inexhaustible resources. No expedient, after long deliberation, appeared to him so effectual as his going in person to the Netherlands; and the governess, his sister, being of the same opinion, warmly solicited him to undertake the journey. There were only two routes which he could take,—one by land, through Italy and Germany,—the other entirely by sea, from some port in Spain to one in the Low Countries. But the former was more tedious than suited the present exigency of his affairs; nor could he, in consistency with his dignity, or even his safety, pass through Germany without such a train, both of attendants and of troops, as would have added greatly to the time that he must have consumed in his journey; the latter was dangerous at this season, and, while he remained uncertain with respect to the friendship of the king of England, was not to be ventured upon unless under the convoy of a powerful fleet. This perplexing situation, in which he was under the necessity of choosing and did not know what to choose, inspired him at last with the singular and seemingly extravagant thought of passing through France, as the most expeditious way of reaching the Netherlands. He proposed in his council to demand Francis's permission for that purpose. All his counsellors joined with one voice in condemning the measure as no less rash than unprecedented, and which must infallibly expose him to disgrace or danger: to disgrace, if the demand were rejected in the manner that he had reason to expect; to danger, if he put his person in the power of an enemy whom he had often offended, who had ancient injuries to revenge, as well as subjects of present contest still remaining undecided. But Charles, who had studied the character of his rival with greater care and more profound discernment than any of his ministers, persisted in his plan, and flattered himself that it might be accomplished not only without danger to his own person, but even without the expense of any concession detrimental to his crown.

With this view, he communicated the matter to the French ambassador at his court, and sent Granvelle, his chief minister, to Paris, in order to obtain from Francis permission to pass through his dominions, and to promise that he would soon settle the affair of the Milanese to his satisfaction. But at the same time he entreated that Francis would not exact any new promise, or even insist on former engagements, at this juncture, lest whatever he should grant under his present circumstances might seem rather to be extorted by necessity than to flow from friendship or the love of justice. Francis, instead of attending to the snare which such a slight artifice scarcely concealed, was so dazzled with the splendour of overcoming an enemy by acts of generosity, and so pleased with the air of superiority which the rectitude and disinterestedness of his proceedings gave him on this occasion, that he at once assented to all that was demanded. Judging of the emperor's heart by his own, he imagined that the sentiments of gratitude arising from the remembrance of good offices and liberal treatment would determine him more forcibly to fulfil what he had so often promised, than the most precise stipulations that could be inserted in any treaty.

Upon this, Charles, to whom every moment was precious, set out, notwithstanding the fears and suspicions of his Spanish subjects, with a small but splendid train of about a hundred persons. At Bayonne, on the frontiers of France, he was received by the dauphin and the duke of Orleans, attended by the Constable Montmorency. The two princes offered to go into Spain and to remain there as hostages for the emperor's safety; but this he rejected, declaring that he relied with implicit confidence on the king's honour, and had

never demanded, nor would accept of, any other pledge for his security. In all the towns through which he passed, the greatest possible magnificence was displayed; the magistrates presented him the keys of the gates; the prison-doors were set open; and, by the royal honours paid, he appeared more like the sovereign of the country than a foreign prince. The king advanced as far as Chatelherault to meet him; their interview was distinguished by the warmest expressions of friendship and regard. They proceeded together towards Paris, and presented to the inhabitants of that city the extraordinary spectacle of two rival monarchs, whose enmity had disturbed and laid waste Europe during twenty years, making their solemn entry together with all the symptoms of a confidential harmony, as if they had forgotten for ever past injuries and would not revive hostilities for the future.[49]

Charles remained six days at Paris; but, amidst the perpetual caresses of the French court, and the various entertainments contrived to amuse or to do him honour, he discovered an extreme impatience to continue his journey, arising as much from an apprehension of danger, which constantly haunted him, as from the necessity of his presence in the Low Countries. Conscious of the disingenuity of his own intentions, he trembled when he reflected that some fatal accident might betray him to his rival or lead him to suspect them; and, though his artifices to conceal them should be successful, he could not help fearing that motives of interest might at last triumph over the scruples of honour, and tempt Francis to avail himself of the advantage now in his hands. Nor were there wanting persons among the French ministers who advised the king to turn his own arts against the emperor, and, as the retribution due for so many instances of fraud or falsehood, to seize and detain his person until he granted him full satisfaction with regard to all the just claims of the French crown. But no consideration could induce Francis to violate the faith which he had pledged, nor could any argument convince him that Charles, after all the promises that he had given and all the favours which he had received, might still be capable of deceiving him. Full of this false confidence, he accompanied him to St. Quentin; and the two princes who had met him on the borders of Spain did not take leave of him until he entered his dominions in the Low Countries.

As soon as the emperor reached his own territories, the French ambassadors demanded the accomplishment of what he had promised concerning the investiture of Milan; but Charles, under the plausible pretext that his whole attention was then engrossed by the consultations necessary towards suppressing the rebellion in Ghent, put off the matter for some time. But, in order to prevent Francis from suspecting his sincerity, he still continued to talk of his resolutions with respect to that matter in the same strain as when he entered France, and even wrote to the king much to the same purpose, though in general terms, and with equivocal expressions, which he might afterwards explain away, or interpret at pleasure.[50]

Meanwhile, the unfortunate citizens of Ghent, destitute of leaders capable either of directing their councils or conducting their troops, abandoned by the French king, and unsupported by their countrymen, were unable to resist their offended sovereign, who was ready to advance against them with one body of troops which he had raised in the Netherlands, with another drawn out of Germany, and a third which had arrived from Spain by sea. The near approach of danger made them, at last, so sensible of their own folly that they sent ambassadors to the emperor, imploring his mercy and offering to set open

[49] Thuan., Hist., lib. i. c. 14.—Mém. de Bellay, 264.

[50] Mémoires de Ribier, i. 504.

their gates at his approach. Charles, without vouchsafing them any other answer than that he would appear among them as their sovereign, with the sceptre and the sword in his hand, began his march at the head of his troops. Though he chose to enter the city on the 24th of February, his birthday, he was touched with nothing of that tenderness or indulgence which was natural towards the place of his nativity. Twenty-six of the principal citizens were put to death; a greater number was sent into banishment; the city was declared to have forfeited all its privileges and immunities; the revenues belonging to it were confiscated; its ancient form of government was abolished; the nomination of its magistrates was vested for the future in the emperor and his successors; a new system of laws and political administration was prescribed;[51] and, in order to bridle the seditious spirit of the citizens, orders were given to erect a strong citadel, for defraying the expense of which a fine of a hundred and fifty thousand florins was imposed on the inhabitants, together with an annual tax of six thousand florins for the support of the garrison.[52] By these rigorous proceedings, Charles not only punished the citizens of Ghent, but set an awful example of severity before his other subjects in the Netherlands, whose immunities and privileges, partly the effect, partly the cause, of their extensive commerce, circumscribed the prerogative of their sovereign within very narrow bounds, and often stood in the way of measures which he wished to undertake, or fettered and retarded him in his operations.

Charles, having thus vindicated and re-established his authority in the Low Countries, and being now under no necessity of continuing the same scene of falsehood and dissimulation with which he had long amused Francis, began gradually to throw aside the veil under which he had concealed his intentions with respect to the Milanese. At first he eluded the demands of the French ambassadors when they again reminded him of his promises; then he proposed, by way of equivalent for the duchy of Milan, to grant the duke of Orleans the investiture of Flanders, clogging the offer, however, with impracticable conditions, or such as he knew would be rejected.[53] At last, being driven from all his evasions and subterfuges by their insisting for a categorical answer, he peremptorily refused to give up a territory of such value, or voluntarily to make such a liberal addition to the strength of an enemy by diminishing his own power.[54] He denied, at the same time, that he had ever made any promise which could bind him to an action so foolish and so contrary to his own interest.[55]

Of all the transactions in the emperor's life, this, without doubt, reflects the greatest dishonour on his reputation.[56] Though Charles was not extremely scrupulous at other times about the means which he employed for accomplishing his ends, and was not always observant of the strict precepts of veracity and honour, he had hitherto maintained some regard for the maxims of that less precise and rigid morality by which monarchs think themselves entitled to regulate their conduct. But on this occasion the scheme that he formed of deceiving a generous and open-hearted prince, the illiberal and mean artifices by which he carried it on, the insensibility with which he received all the marks of his friendship, as well as the ingratitude with which he requited them, are all equally unbecoming the dignity of his character and inconsistent with the grandeur of his views.

[51] Les Coutumes et Loix du Comté de Flandres, par Alex. le Grand, 3 tom. fol., Cambray, 1719, tom. i. p. 169.
[52] Hareei Annales Brabantiæ, vol. i. 616.
[53] Mém. de Ribier, i. 509, 514.
[54] Ibid., i. 519.
[55] Mém. de Bellay, 365, 366.
[56] Jovii Hist., lib. xxxix. p. 238 a.

This transaction exposed Francis to as much scorn as it did the emperor to censure. After the experience of a long reign, after so many opportunities of discovering the duplicity and artifices of his rival, the credulous simplicity with which he trusted him at this juncture seemed to merit no other return than what it actually met with. Francis, however, remonstrated and exclaimed, as if this had been the first instance in which the emperor had deceived him. Feeling, as is usual, the insult which was offered to his understanding still more sensibly than the injury done to his interest, he discovered such resentment as made it obvious that he would lay hold on the first opportunity of being revenged, and that a war no less rancorous than that which had so lately raged would soon break out anew in Europe.

But, singular as the transaction which has been related may appear, this year is rendered still more memorable by the establishment of the order of Jesuits; a body whose influence on ecclesiastical as well as civil affairs hath been so considerable that an account of the genius of its laws and government justly merits a place in history. When men take a view of the rapid progress of this society towards wealth and power, when they contemplate the admirable prudence with which it has been governed, when they attend to the persevering and systematic spirit with which its schemes have been carried on, they are apt to ascribe such a singular institution to the superior wisdom of its founder, and to suppose that he had formed and digested his plan with profound policy. But the Jesuits, as well as the other monastic orders, are indebted for the existence of their order, not to the wisdom of their founder, but to his enthusiasm. Ignatius Loyola, whom I have already mentioned on occasion of the wound which he received in defending Pampeluna,[57] was a fanatic distinguished by extravagances in sentiment and conduct no less incompatible with the maxims of sober reason than repugnant to the spirit of true religion. The wild adventures and visionary schemes in which his enthusiasm engaged him equal anything recorded in the legends of the Roman saints, but are unworthy of notice in history.

Prompted by this fanatical spirit, or incited by the love of power and distinction, from which such pretenders to superior sanctity are not exempt, Loyola was ambitious of becoming the founder of a religious order. The plan which he formed of its constitution and laws was suggested, as he gave out, and as his followers still teach, by the immediate inspiration of Heaven.[58] But, notwithstanding this high pretension, his design met at first with violent opposition. The pope, to whom Loyola had applied for the sanction of his authority to confirm the institution, referred his petition to a committee of cardinals. They represented the establishment to be unnecessary as well as dangerous, and Paul refused to grant his approbation of it. At last Loyola removed all his scruples by an offer which it was impossible for any pope to resist. He proposed that, besides the three vows of poverty, of chastity, and of monastic obedience, which are common to all the orders of regulars, the members of his society should take a fourth vow of obedience to the pope, binding themselves to go whithersoever he should command for the service of religion, and without requiring anything from the holy see for their support. At a time when the papal authority had received such a shock by the revolt of so many nations from the Romish Church, at a time when every part of the Popish system was attacked with so much violence and success, the acquisition of a body of men thus peculiarly devoted to the see of Rome, and whom it might set in opposition to all its enemies, was an object of the highest

[57] Book ii. p. 219.

[58] Compte rendu des Constitutions des Jésuites au Parlement de Provence, par M. de Monclar, p. 285.

consequence. Paul, instantly perceiving this, confirmed the institution of the Jesuits by his bull, granted the most ample privileges to the members of the society, and appointed Loyola to be the first general of the order. The event hath fully justified Paul's discernment in expecting such beneficial consequences to the see of Rome from this institution. In less than half a century the society obtained establishments in every country that adhered to the Roman Catholic Church; its power and wealth increased amazingly; the numbers of its members became great; their character as well as accomplishments were still greater; and the Jesuits were celebrated by the friends and dreaded by the enemies of the Romish faith as the most able and enterprising order in the Church.

The constitution and laws of the society were perfected by Laynez and Aquaviva, the two generals who succeeded Loyola, men far superior to their master in abilities and in the science of government. They framed that system of profound and artful policy which distinguishes the order. The large infusion of fanaticism mingled with its regulations should be imputed to Loyola, its founder. Many circumstances concurred in giving a peculiarity of character to the order of Jesuits, and in forming the members of it not only to take a greater part in the affairs of the world than any other body of monks, but to acquire superior influence in the conduct of them.

The primary object of almost all the monastic orders is to separate men from the world and from any concern in its affairs. In the solitude and silence of the cloister, the monk is called to work out his own salvation by extraordinary acts of mortification and piety. He is dead to the world, and ought not to mingle in its transactions. He can be of no benefit to mankind but by his example and by his prayers. On the contrary, the Jesuits are taught to consider themselves as formed for action. They are chosen soldiers, bound to exert themselves continually in the service of God, and of the pope, his vicar on earth. Whatever tends to instruct the ignorant, whatever can be of use to reclaim or to oppose the enemies of the holy see, is their proper object. That they may have full leisure for this active service, they are totally exempted from those functions the performances of which is the chief business of other monks. They appear in no processions; they practise no rigorous austerities; they do not consume one-half of their time in the repetition of tedious offices.[59] But they are required to attend to all the transactions of the world, on account of the influence which these may have upon religion; they are directed to study the dispositions of persons in high rank, and to cultivate their friendship;[60] and by the very constitution as well as genius of the order a spirit of action and intrigue is infused into all its members.

As the object of the society of Jesuits differed from that of the other monastic orders, the diversity was no less in the form of its government. The other orders are to be considered as voluntary associations, in which whatever affects the whole body is regulated by the common suffrage of all its members. The executive power is vested in the persons placed at the head of each convent or of the whole society; the legislative authority resides in the community. Affairs of moment relating to particular convents are determined in conventual chapters; such as respect the whole order are considered in general congregations. But Loyola, full of the ideas of implicit obedience which he had derived from his military profession, appointed that the government of his order should be purely monarchical. A general, chosen for life by deputies

[59] Compte rendu par M. de Monclar, p. xiii. d'Alembert, p. 42. 290.—Sur la Destruction des Jésuites, par M.

[60] Compte rendu par M. de Monclar, p. 12.

from the several provinces, possessed power that was supreme and independent, extending to every person and to every case. He, by his sole authority, nominated provincials, rectors, and every other officer employed in the government of the society, and could remove them at pleasure. In him was vested the sovereign administration of the revenues and funds of the order. Every member belonging to it was at his disposal; and by his uncontrollable mandate he could impose on them any task or employ them in what service soever he pleased. To his commands they were required not only to yield outward obedience, but to resign up to him the inclinations of their own wills and the sentiments of their own understandings. They were to listen to his injunctions as if they had been uttered by Christ himself. Under his direction, they were to be mere passive instruments, like clay in the hands of the potter, or like dead carcasses, incapable of resistance.[61] Such a singular form of policy could not fail to impress its character on all the members of the order, and to give a peculiar force to all its operations. There is not in the annals of mankind any example of such a perfect despotism, exercised, not over monks shut up in the cells of a convent, but over men dispersed among all the nations of the earth.

As the constitutions of the order vest in the general such absolute dominion over all its members, they carefully provide for his being perfectly informed with respect to the character and abilities of his subjects. Every novice who offers himself as a candidate for entering into the order is obliged to *manifest his conscience* to the superior, or to a person appointed by him, and, in doing this, is required to confess not only his sins and defects, but to discover the inclinations, the passions, and the bent of his soul. This manifestation must be renewed every six months.[62] The society, not satisfied with penetrating in this manner into the innermost recesses of the heart, directs each member to observe the words and actions of the novices; they are constituted spies upon their conduct, and are bound to disclose everything of importance concerning them to the superior. In order that this scrutiny into their character may be as complete as possible, a long novitiate must expire, during which they pass through the several gradations of ranks in the society, and they must have attained the full age of thirty-three years before they can be admitted to take the final vows by which they become *professed* members.[63] By these various methods, the superiors, under whose immediate inspection the novices are placed, acquire a thorough knowledge of their dispositions and talents. In order that the general, who is the soul that animates and moves the whole society, may have under his eye everything necessary to inform or direct him, the provincials and heads of the several houses are obliged to transmit to him regular and frequent reports concerning the members under their inspection. In these they descend into minute details with respect to the character of each person, his abilities natural or acquired, his temper, his experience in affairs, and the particular department for which he is best fitted.[64] These

[61] Compte rendu au Parlement de Bretagne, par M. de Chalotais, p. 11, etc.—Compte rendu par M. de Monclar, pp. 83, 185, 343.

[62] Ibid., 121, etc.

[63] Ibid., pp. 215, 241.—Sur la Destruction des Jésuites, par M. d'Alembert, p. 39.

[64] M. de Chalotais has made a calculation of the number of these reports which the general of the Jesuits must annually receive according to the regulations of the society. These amount in all to 6584. If the sum be divided by 37, the number of provinces in the order, it will appear that 177 reports concerning the state of each province are transmitted to Rome annually. (Compte, p. 52.) Besides this, there may be extraordinary letters, or such as are sent by the monitors or spies whom the general and provincials entertain in each house. (Compte par M. de Monclar, p. 431; Hist. des Jésuites, Amst., 1761, tom. iv. p. 56.) The provincials and heads of houses not only report concerning the members of the society, but are bound to give the general an account of the civil affairs in the country

reports, when digested and arranged, are entered into registers kept on purpose that the general may at one comprehensive view survey the state of the society in every corner of the earth, observe the qualifications and talents of its members, and thus choose, with perfect information, the instruments which his absolute power can employ in any service for which he thinks meet to destine them.[65]

As it was the professed intention of the order of Jesuits to labour with unwearied zeal in promoting the salvation of men, this engaged them, of course, in many active functions. From their first institution, they considered the education of youth as their peculiar province; they aimed at being spiritual guides and confessors; they preached frequently in order to instruct the people; they set out as missionaries to convert unbelieving nations. The novelty of the institution, as well as the singularity of its objects, procured the order many admirers and patrons. The governors of the society had the address to avail themselves of every circumstance in its favour, and in a short time the number as well as influence of its members increased wonderfully. Before the expiration of the sixteenth century, the Jesuits had obtained the chief direction of the education of youth in every Catholic country in Europe. They had become the confessors of almost all its monarchs,—a function of no small importance in any reign, but, under a weak prince, superior even to that of minister. They were the spiritual guides of almost every person eminent for rank or power. They possessed the highest degree of confidence and interest with the papal court, as the most zealous and able champions for its authority. The advantages which an active and enterprising body of men might derive from all these circumstances are obvious. They formed the minds of men in their youth. They retained an ascendant over them in their advanced years. They possessed, at different periods, the direction of the most considerable courts in Europe. They mingled in all affairs. They took part in every intrigue and revolution. The general, by means of the extensive intelligence which he received, could regulate the operations of the order with the most perfect discernment, and by means of his absolute power, could carry them on with the utmost vigour and effect.[66]

Together with the power of the order, its wealth continued to increase. Various expedients were devised for eluding the obligation of the vow of poverty. The order acquired ample possessions in every Catholic country; and by the number as well as magnificence of its public buildings, together with the value of its property, movable or real, it vied with the most opulent of the monastic fraternities. Besides the sources of wealth common to all the regular clergy, the Jesuits possessed one which was peculiar to themselves. Under pretext of promoting the success of their missions and of facilitating

wherein they are settled, as far as their knowledge of these may be of benefit to religion. This condition may extend to every particular, so that the general is furnished with full information concerning the transactions of every prince and state in the world. (Compte par M. de Monclar, 443; Hist. des Jésuites tom. iv. p. 58.) When the affairs with respect to which the provincials or rectors write are of importance, they are directed to use ciphers; and each of them has a particular cipher from the general. Compte par M. de Chalotais, p. 54.

[65] Compte rendu par M. de Monclar, pp. 215, 439.—Compte rendu par M. de Chalotais, pp. 52, 222.

[66] When Loyola, in the year 1540, petitioned the pope to authorize the institution of the order, he had only ten disciples. But in the year 1608, sixty-eight years after their first institution, the number of Jesuits had increased to ten thousand five hundred and eighty-one. In the year 1710, the order possessed twenty-four *professed* houses, fifty-nine houses of probation, three hundred and forty residences, six hundred and twelve colleges, two hundred missions, one hundred and fifty seminaries and boarding-schools, and consisted of nineteen thousand nine hundred and ninety-eight Jesuits. Hist. des Jésuites, tom. i. p. 20.

the support of their missionaries, they obtained a special licence from the court of Rome to trade with the nations which they laboured to convert. In consequence of this, they engaged in an extensive and lucrative commerce, both in the East and West Indies. They opened warehouses in different parts of Europe, in which they vended their commodities. Not satisfied with trade alone, they imitated the example of other commercial societies, and aimed at obtaining settlements. They acquired possession accordingly of a large and fertile province in the southern continent of America, and reigned as sovereigns over some hundred thousand subjects.[67]

Unhappily for mankind, the vast influence which the order of Jesuits acquired by all these different means has been often exerted with the most pernicious effect. Such was the tendency of that discipline observed by the society in forming its members, and such the fundamental maxims in its constitution, that every Jesuit was taught to regard the interest of the order as the capital object, to which every consideration was to be sacrificed. This spirit of attachment to their order, the most ardent, perhaps, that ever influenced any body of men,[68] is the characteristic principle of the Jesuits, and serves as a key to the genius of their policy, as well as to the peculiarities in their sentiments and conduct.

As it was for the honour and advantage of the society that its members should possess an ascendant over persons in high rank or of great power, the desire of acquiring and preserving such a direction of their conduct with greater facility has led the Jesuits to propagate a system of relaxed and pliant morality, which accommodates itself to the passions of men, which justifies their vices, which tolerates their imperfections, which authorizes almost every action that the most audacious or crafty politician would wish to perpetrate.

As the prosperity of the order was intimately connected with the preservation of the papal authority, the Jesuits, influenced by the same principle of attachment to the interests of their society, have been the most zealous patrons of those doctrines which tend to exalt ecclesiastical power on the ruins of civil government. They have attributed to the court of Rome a jurisdiction as extensive and absolute as was claimed by the most presumptuous pontiffs in the Dark Ages. They have contended for the entire independence of ecclesiastics on the civil magistrate. They have published such tenets concerning the duty of opposing princes who were enemies of the Catholic faith, as countenanced the most atrocious crimes and tended to dissolve all the ties which connect subjects with their rulers.

As the order derived both reputation and authority from the zeal with which it stood forth in defence of the Romish Church against the attacks of the Reformers, its members, proud of this distinction, have considered it as their peculiar function to combat the opinions and to check the progress of the Protestants. They have made use of every art and have employed every weapon against them. They have set themselves in opposition to every gentle or tolerating measure in their favour. They have incessantly stirred up against them all the rage of ecclesiastical and civil persecution.

Monks of other denominations have, indeed, ventured to teach the same pernicious doctrines, and have held opinions equally inconsistent with the order and happiness of civil society. But they, from reasons which are obvious, have either delivered such opinions with greater reserve or have propagated them with less success. Whoever recollects the events which have happened in Europe during two centuries will find that the Jesuits may justly be considered as responsible for most of the pernicious effects arising

[67] Hist. des Jésuites, iv. 168–196, etc.

[68] Compte rendu par M. de Monclar, p. 285.

from that corrupt and dangerous casuistry, from those extravagant tenets concerning ecclesiastical power, and from that intolerant spirit, which have been the disgrace of the Church of Rome throughout that period, and which have brought so many calamities upon civil society.[69]

But, amidst many bad consequences flowing from the institution of this order, mankind, it must be acknowledged, have derived from it some considerable advantages. As the Jesuits made the education of youth one of their capital objects, and as their first attempts to establish colleges for the reception of students were violently opposed by the universities in different countries, it became necessary for them, as the most effectual method of acquiring the public favour, to surpass their rivals in science and industry. This prompted them to cultivate the study of ancient literature with extraordinary ardour. This put them upon various methods for facilitating the instruction of youth; and by the improvements which they made in it they have contributed so much towards the progress of polite learning that on this account they have merited well of society. Nor has the order of Jesuits been successful only in teaching the elements of literature: it has produced likewise eminent masters in many branches of science, and can alone boast of a greater number of ingenious authors than all the other religious fraternities taken together.[70]

But it is in the New World that the Jesuits have exhibited the most wonderful display of their abilities and have contributed most effectually to the benefit of the human species. The conquerors of that unfortunate quarter of the globe acted at first as if they had nothing in view but to plunder, to enslave, and to exterminate its inhabitants. The Jesuits alone made humanity the object of their settling there. About the beginning of the last century they obtained admission into the fertile province of Paraguay, which stretches across the southern continent of America, from the east side of the immense ridge of the Andes to the confines of the Spanish and Portuguese settlements on the banks of the river de la Plata. They found the inhabitants in a state little different from that which takes place among men when they first begin to unite together, strangers to the arts, subsisting precariously by hunting or fishing, and hardly acquainted with the first principles of subordination and government. The Jesuits set themselves to instruct and to civilize these savages. They taught them to cultivate the ground, to rear tame animals, and to build houses. They brought them to live together in villages. They trained them to arts and manufactures. They made them taste the sweets of society, and accustomed them to the blessings of security and order. These people became the subjects of their benefactors, who have governed them with a tender attention resembling that with which a father

[69] Encyclopédie, art. *Jésuites*, tom. viii. 513.

[70] M d'Alembert has observed that though the Jesuits have made extraordinary progress in erudition of every species,—though they can reckon up many of their brethren who have been eminent mathematicians, antiquaries, and critics,—though they have even formed some orators of reputation,—yet the order has never produced one man whose mind was so much enlightened with sound knowledge as to merit the name of a philosopher. But it seems to be the unavoidable effect of monastic education to contract and fetter the human mind. The partial attachment of a monk to the interests of his order, which is often incompatible with that of other citizens, the habit of implicit obedience to the will of a superior, together with the frequent return of the wearisome and frivolous duties of the cloister, debase his faculties, and extinguish that generosity of sentiment and spirit which qualifies men for thinking or feeling justly with respect to what is proper in life and conduct. Father Paul of Venice is perhaps the only person educated in a cloister that ever was altogether superior to its prejudices, or who viewed the transactions of men and reasoned concerning the interests of society with the enlarged sentiments of a philosopher, with the discernment of a man conversant in affairs, and with the liberality of a gentleman.

directs his children. Respected and beloved almost to adoration, a few Jesuits presided over some hundred thousand Indians. They maintained a perfect equality among all the members of the community. Each of them was obliged to labour, not for himself alone, but for the public. The produce of their fields, together with the fruits of their industry of every species, was deposited in common storehouses, from which each individual received everything necessary for the supply of his wants. By this institution, almost all the passions which disturb the peace of society and render the members of it unhappy were extinguished. A few magistrates, chosen from among their countrymen by the Indians themselves, watched over the public tranquillity and secured obedience to the laws. The sanguinary punishments frequent under other governments were unknown. An admonition from a Jesuit, a slight mark of infamy, or, on some singular occasion, a few lashes with a whip, were sufficient to maintain good order among these innocent and happy people.[71]

But even in this meritorious effort of the Jesuits for the good of mankind the genius and spirit of their order have mingled and are discernible. They plainly aimed at establishing in Paraguay an independent empire, subject to the society alone, and which by the superior excellence of its constitution and police could scarcely have failed to extend its dominions over all the southern continent of America. With this view, in order to prevent the Spaniards or Portuguese in the adjacent settlements from acquiring any dangerous influence over the people within the limits of the province subject to the society, the Jesuits endeavoured to inspire the Indians with hatred and contempt of these nations. They cut off all intercourse between their subjects and the Spanish or Portuguese settlements. They prohibited any private trader of either nation from entering their territories. When they were obliged to admit any person in a public character from the neighbouring governments, they did not permit him to have any conversation with their subjects, and no Indian was allowed even to enter the house where these strangers resided, unless in the presence of a Jesuit. In order to render any communication between them as difficult as possible, they industriously avoided giving the Indians any knowledge of the Spanish or of any other European language, but encouraged the different tribes which they had civilized to acquire a certain dialect of the Indian tongue, and laboured to make that the universal language throughout their dominions. As all these precautions, without military force, would have been insufficient to have rendered their empire secure and permanent, they instructed their subjects in the European arts of war. They formed them into bodies of cavalry and infantry, completely armed and regularly disciplined. They provided a great train of artillery, as well as magazines stored with all the implements of war. Thus they established an army so numerous and well appointed as to be formidable in a country were a few sickly and ill-disciplined battalions composed all the military force kept on foot by the Spaniards or Portuguese.[72]

The Jesuits gained no considerable degree of power during the reign of Charles V., who, with his usual sagacity, discerned the dangerous tendency of the institution, and checked its progress.[73] But as the order was founded in the period of which I write the history, and as the age to which I address this work hath seen its fall, the view which I have exhibited of the laws and

[71] Hist. du Paraguay, par le Père de Charlevoix, tom. ii. 42, etc.—Voyage au Pérou, par Don G. Juan et D. Ant. de Ulloa, tom. i. 540, etc. Par., 4to, 1752.

[72] Voyage de Juan et de Ulloa, tom. i. 549.

—Recueil de toutes les Pièces qui ont paru sur les Affaires des Jésuites en Portugal, tom. i. p. 7, etc.

[73] Compte sendu par M. de Monclar, p. 312.

genius of this formidable body will not, I hope, be unacceptable to my readers; especially as one circumstance has enabled me to enter into this detail with particular advantage. Europe had observed, for two centuries, the ambition and power of the order. But, while it felt many fatal effects of these, it could not fully discern the causes to which they were to be imputed. It was unacquainted with many of the singular regulations in the political constitution or government of the Jesuits, which formed the enterprising spirit of intrigue that distinguished its members and elevated the body itself to such a height of power. It was a fundamental maxim with the Jesuits, from their first institution, not to publish the rules of their order. These they kept concealed as an impenetrable mystery. They never communicated them to strangers, nor even to the greater part of their own members. They refused to produce them when required by courts of justice;[74] and, by a strange solecism in policy, the civil power in different countries authorized or connived at the establishment of an order of men whose constitution and laws were concealed with a solicitude which alone was a good reason for excluding them. During the prosecutions lately carried on against them in Portugal and France, the Jesuits have been so inconsiderate as to produce the mysterious volumes of their institute. By the aid of these authentic records the principles of their government may be delineated and the sources of their power investigated with a degree of certainty and precision which previous to that event it was impossible to attain.[75] But, as I have pointed out the dangerous tendency of the constitution and spirit of the order with the freedom becoming an historian, the candour and impartiality no less requisite in that character call on me to add one observation, that no class of regular clergy in the Romish Church has been more eminent for decency, and even purity, of manners, than the major part of the order of Jesuits.[76] The maxims of an intriguing, ambitious, interested policy might influence those who governed the society, and might even corrupt the heart and pervert the conduct of some individuals, while the greater number, engaged in literary pursuits or employed in the functions of religion, was left to the guidance of those common principles which restrain men from vice and excite them to what is becoming and laudable. The causes which occasioned the ruin of this mighty body, as well as the circumstances and effects with which it has been attended in the different countries of Europe, though objects extremely worthy the attention of every intelligent observer of human affairs, do not fall within the period of this history.

No sooner had Charles re-established order in the Low Countries than he was obliged to turn his attention to the affairs in Germany. The Protestants pressed him earnestly to appoint that conference between a select number of the divines of each party which had been stipulated in the convention at Frankfort. The pope considered such an attempt to examine into the points in dispute, or to decide concerning them, as derogatory to his right of being the supreme judge in controversy; and, being convinced that such a conference would either be ineffectual by determining nothing or prove dangerous by de-

[74] Hist. des Jésuites, tom. iii. 236, etc.—Compte rendu par M. de Chalotais, p. 38.

[75] The greater part of my information concerning the government and laws of the order of Jesuits I have derived from the reports of M. de Chalotais and M. de Monclar. I rest not my narrative, however, upon the authority even of these respectable magistrates and elegant writers, but upon innumerable passages which they have extracted from the constitutions of the order, deposited in their hands. Hospinian, a Protestant divine of Zurich, in his Historia Jesuitica, printed A.D. 1619, published a small part of the constitution of the Jesuits, of which by some accident he had got a copy, pp. 13–54.

[76] Sur la Destruction des Jésuites, par M. d'Alembert, p. 55.

termining too much, he employed every art to prevent it. The emperor, however, finding it more for his interest to soothe the Germans than to gratify Paul, paid little regard to his remonstrances. In a diet held at Haguenau, matters were ripened for the conference. In another diet assembled at Worms, the conference was begun, Melancthon on the one side, and Eckius on the other, sustaining the principal part in the dispute; but after they had made some progress, though without concluding anything, it was suspended by the emperor's command, that it might be renewed with greater solemnity in his own presence, in a diet summoned to meet at Ratisbon. This assembly was opened with great pomp, and with a general expectation that its proceedings would be vigorous and decisive. By the consent of both parties, the emperor was intrusted with the power of nominating the persons who should manage the conference, which it was agreed should be conducted, not in the form of a public disputation, but as a friendly scrutiny or examination into the articles which had given rise to the present controversies. He appointed Eckius, Gropper, and Pflug on the part of the Catholics; Melancthon, Bucer, and Pistorius on that of the Protestants; all men of distinguished reputation among their own adherents, and, except Eckius, all eminent for moderation, as well as desirous of peace. As they were about to begin their consultations, the emperor put into their hands a book, composed, as he said, by a learned divine in the Low Countries, with such extraordinary perspicuity and temper as, in his opinion, might go far to unite and comprehend the two contending parties. Gropper, a canon of Cologne, whom he had named among the managers of the conference, a man of address as well as of erudition, was afterwards suspected to be the author of this short treatise. It contained positions with regard to twenty-two of the chief articles in theology, which included most of the questions then agitated in the controversy between the Lutherans and the Church of Rome. By ranging his sentiments in a natural order and expressing them with great simplicity, by employing often the very words of Scripture or of the primitive fathers, by softening the rigour of some opinions and explaining away what was absurd in others, by concessions sometimes on one side and sometimes on the other, and especially by banishing as much as possible scholastic phrases, those words and terms of art in controversy which serve as badges of distinction to different sects, and for which theologians often contend more fiercely than for opinions themselves, he at last framed his work in such a manner as promised fairer than anything that had hitherto been attempted to compose and to terminate religious dissensions.[77]

But the attention of the age was turned with such acute observation towards theological controversies that it was not easy to impose on it by any gloss, how artful or specious soever. The length and eagerness of the dispute had separated the contending parties so completely, and had set their minds at such variance, that they were not to be reconciled by partial concessions. All the zealous Catholics, particularly the ecclesiastics who had a seat in the diet, joined in condemning Gropper's treatise as too favourable to the Lutheran opinion, the poison of which heresy it conveyed, as they pretended, with greater danger, because it was in some degree disguised. The rigid Protestants, especially Luther himself, and his patron, the elector of Saxony, were for rejecting it as an impious compound of error and truth, craftily prepared that it might impose on the weak, the timid, and the unthinking. But the divines, to whom the examination of it was committed, entered upon that business with greater deliberation and temper. As it was more easy in itself, as well as more consistent with the dignity of the Church, to make concessions, and even altera-

[77] Goldast., Constit. Imper., ii. p. 182.

tions, with regard to speculative opinions, the discussion whereof is confined chiefly to schools, and which present nothing to the people that either strikes their imagination or affects their senses, they came to an accommodation about these without much labour, and even defined the great article concerning justification to their mutual satisfaction. But when they proceeded to points of jurisdiction, where the interest and authority of the Roman see were concerned, or to the rites and forms of external worship, where every change that could be made must be public and draw the observation of the people, there the Catholics were altogether untractable; nor could the Church either with safety or with honour abolish its ancient institutions. All the articles relative to the power of the pope, the authority of councils, the administration of the sacraments, the worship of saints, and many other particulars, did not, in their nature, admit of any temperament; so that, after labouring long to bring about an accommodation with respect to these, the emperor found all his endeavours ineffectual. Being impatient, however, to close the diet, he at last prevailed on the majority of the members to approve of the following recess: "That the articles concerning which the divines had agreed in the conference should be held as points decided, and be observed inviolably by all; that the other articles about which they had differed should be referred to the determination of a general council, or, if that could not be obtained, to a national synod of Germany; and if it should prove impracticable, likewise, to assemble a synod, that a general diet of the empire should be called within eighteen months, in order to give some final judgment upon the whole controversy; that the emperor should use all his interest and authority with the pope to procure the meeting either of a general council or synod; that in the mean time no innovations should be attempted, no endeavours should be employed to gain proselytes, and neither the revenues of the Church nor the rights of monasteries should be invaded." [78]

All the proceedings of this diet, as well as the recess in which they terminated, gave great offence to the pope. The power which the Germans had assumed of appointing their own divines to examine and determine matters of controversy, he considered as a very dangerous invasion of his rights; the renewing of their ancient proposal concerning a national synod, which had been so often rejected by him and his predecessors, appeared extremely undutiful; but the bare mention of allowing a diet composed chiefly of laymen to pass judgment with respect to articles of faith was deemed no less criminal and profane than the worst of those heresies which they seemed zealous to suppress. On the other hand, the Protestants were no less dissatisfied with a recess that considerably abridged the liberty which they enjoyed at that time. As they murmured loudly against it, Charles, unwilling to leave any seeds of discontent in the empire, granted them a private declaration in the most ample terms, exempting them from whatever they thought oppressive or injurious in the recess, and ascertaining to them the full possession of all the privileges which they had ever enjoyed.[79]

Extraordinary as these concessions may appear, the situation of the emperor's affairs at this juncture made it necessary for him to grant them. He foresaw a rupture with France to be not only unavoidable, but near at hand, and durst not give any such cause of disgust or fear to the Protestants as might force them, in self-defence, to court the protection of the French king, from whom at present they were much alienated. The rapid progress of the Turks in Hungary was a more powerful and urgent motive to that modera-

[78] Sleid., 267, etc.—Pallav., lib. iv. c. 11, p. 136.—F. Paul, p. 86.—Seckend., lib. iii. 256.

[79] Sleid., 283. — Seckend., 366. — Dumont, Corps Diplom., iv. p. ii. 319.

tion which Charles discovered. A great revolution had happened in that kingdom: John Zapol Scæpus, having chosen, as has been related, rather to possess a tributary kingdom than to renounce the royal dignity to which he had been accustomed, had, by the assistance of his mighty protector Solyman, wrested from Ferdinand a great part of the country, and left him only the precarious possession of the rest. But, being a prince of pacific qualities, the frequent attempts of Ferdinand, or of his partisans among the Hungarians, to recover what they had lost, greatly disquieted him; and the necessity on these occasions of calling in the Turks, whom he considered and felt to be his masters rather than auxiliaries, was hardly less mortifying. In order, therefore, to avoid these distresses, as well as to secure quiet and leisure for cultivating the arts and enjoying amusements in which he delighted, he secretly came to an agreement with his competitor on this condition: that Ferdinand should acknowledge him as king of Hungary, and leave him during life the unmolested possession of that part of the kingdom now in his power, but that upon his demise the sole right of the whole should devolve upon Ferdinand.[80] As John had never been married, and was then far advanced in life, the terms of the contract seemed very favourable to Ferdinand. But, soon after, some of the Hungarian nobles, solicitous to prevent a foreigner from ascending their throne, prevailed on John to put an end to a long celibacy by marrying Isabella, the daughter of Sigismond, king of Poland. John had the satisfaction before his death, which happened within less than a year after his marriage, to see a son born to inherit his kingdom. To him, without regarding his treaty with Ferdinand, which he considered, no doubt, as void upon an event not foreseen when it was concluded, he bequeathed his crown, appointing the queen and George Martinuzzi, bishop of Waradin, guardians of his son and regents of the kingdom. The greater part of the Hungarians immediately acknowledged the young prince as king, to whom, in memory of the founder of their monarchy, they gave the name of Stephen.[81]

Ferdinand, though extremely disconcerted by this unexpected event, resolved not to abandon the kingdom which he flattered himself with having acquired by his compact with John. He sent ambassadors to the queen to claim possession, and to offer the province of Transylvania as a settlement for her son, preparing at the same time to assert his right by force of arms. But John had committed the care of his son to persons who had too much spirit to give up the crown tamely, and who possessed abilities sufficient to defend it. The queen to all the address peculiar to her own sex added a masculine courage, ambition, and magnanimity. Martinuzzi, who had raised himself from the lowest rank in life to his present dignity, was one of those extraordinary men who by the extent as well as variety of their talents are fitted to act a superior part in bustling and factious times. In discharging the functions of his ecclesiastical office he put on the semblance of an humble and austere sanctity. In civil transactions he discovered industry, dexterity, and boldness. During war he laid aside the cassock and appeared on horseback with his scimetar and buckler, as active, as ostentatious, and as gallant as any of his countrymen. Amidst all these different and contradictory forms which he could assume, an insatiable desire of dominion and authority was conspicuous. From such persons it was obvious what answer Ferdinand had to expect. He soon perceived that he must depend on arms alone for recovering Hungary. Having levied for this purpose a considerable body of Germans, whom his partisans among the Hungarians joined with their vassals, he ordered them to march into that part of the kingdom which adhered to Stephen. Martinuzzi,

[80] Istuanhaffii Hist. Hung., lib. xii. p. 135. [81] Jovii Hist., lib. xxxix. p. 239, a, etc.

unable to make head against such a powerful army in the field, satified himself with holding out the towns, all of which, especially Buda, the place of greatest consequence, he provided with everything necessary for defence; and in the mean time he sent ambassadors to Solyman, beseeching him to extend towards the son the same imperial protection which had so long maintained the father on his throne. The sultan, though Ferdinand used his utmost endeavours to thwart this negotiation, and even offered to accept of the Hungarian crown on the same ignominious condition of paying tribute to the Ottoman Porte by which John had held it, saw such prospects of advantage from espousing the interests of the young king that he instantly promised him his protection; and, commanding one army to advance forthwith towards Hungary, he himself followed with another. Meanwhile, the Germans, hoping to terminate the war by the reduction of a city in which the king and his mother were shut up, had formed the siege of Buda. Martinuzzi, having drawn thither the strength of the Hungarian nobility, defended the town with such courage and skill as allowed the Turkish forces time to come up to its relief. They instantly attacked the Germans, weakened by fatigue, diseases, and desertion, and defeated them with great slaughter.[82]

Solyman soon after joined his victorious troops, and, being weary of so many expensive expeditions undertaken in defence of dominions which were not his own, or being unable to resist this alluring opportunity of seizing a kingdom while possessed by an infant under the guardianship of a woman and a priest, he allowed interested considerations to triumph with too much facility over the principles of honour and the sentiments of humanity. What he planned ungenerously he obtained by fraud. Having prevailed on the queen to send her son, whom he pretended to be desirous of seeing, into his camp, and having at the same time invited the chief of the nobility to an entertainment there, while they, suspecting no treachery, gave themselves up to the mirth and jollity of the feast, a select band of troops, by the sultan's orders, seized one of the gates of Buda. Being thus master of the capital, of the king's person, and of the leading men among the nobles, he gave orders to conduct the queen, together with her son, to Transylvania, which province he allotted to them, and, appointing a basha to preside in Buda with a large body of soldiers, annexed Hungary to the Ottoman empire. The tears and complaints of the unhappy queen had no influence to change his purpose, nor could Martinuzzi either resist his absolute and uncontrollable command or prevail on him to recall it.[83]

Before the account of this violent usurpation reached Ferdinand, he was so unlucky as to have despatched other ambassadors to Solyman with a fresh representation of his right to the crown of Hungary, as well as a renewal of his former overture to hold the kingdom of the Ottoman Porte and to pay for it an annual tribute. This ill-timed proposal was rejected with scorn. The sultan, elated with success, and thinking that he might prescribe what terms he pleased to a prince who voluntarily proffered conditions so unbecoming his own dignity, declared that he would not suspend the operations of war unless Ferdinand instantly evacuated all the towns which he still held in Hungary and consented to the imposition of a tribute upon Austria in order to reimburse the sums which his presumptuous invasion of Hungary had obliged the Ottoman Porte to expend in defence of that kingdom.[84]

In this state were the affairs of Hungary. As the unfortunate events there had either happened before the dissolution of the diet of Ratisbon or were

[82] Istuanhaffii Hist. Hung., lib. xiv. p. 150. 2476, etc.
[83] Ibid., p. 56.—Jovii Hist., lib. xxxix. p. [84] Istuanhaffii Hist. Hung., lib. xiv. p. 158.

dreaded at that time, Charles saw the danger of irritating and inflaming the minds of the Germans while a formidable enemy was ready to break into the empire, and perceived that he could not expect any vigorous assistance either towards the recovery of Hungary or the defence of the Austrian frontier unless he courted and satisfied the Protestants. By the concessions which have been mentioned, he gained this point; and such liberal supplies both of men and money were voted for carrying on the war against the Turks as left him under little anxiety about the security of Germany during the next campaign.[85]

Immediately upon the conclusion of the diet the emperor set out for Italy. As he passed through Lucca, he had a short intercourse with the pope; but nothing could be concluded concerning the proper method of composing the religious disputes in Germany, between two princes whose views and interests with regard to that matter were at this juncture so opposite. The pope's endeavours to remove the causes of discord between Charles and Francis, and to extinguish those mutual animosities which threatened to break out suddenly into open hostility, were not more successful.

The emperor's thoughts were bent so entirely at that time on the great enterprise which he had concerted against Algiers that he listened with little attention to the pope's schemes or overtures, and hastened to join his army and fleet.[86]

Algiers still continued in that state of dependence on the Turkish empire to which Barbarossa had subjected it. Ever since he, as captain basha, commanded the Ottoman fleet, Algiers had been governed by Hascen-Aga, a renegado eunuch, who by passing through every station in the corsair's service had acquired such experience in war that he was well fitted for a station which required a man of tried and daring courage. Hascen, in order to show how well he deserved that dignity, carried on his piratical depredations against the Christian states with amazing activity, and outdid, if possible, Barbarossa himself in boldness and cruelty. The commerce of the Mediterranean was greatly interrupted by his cruisers, and such frequent alarms given to the coast of Spain that there was a necessity of erecting watch-towers at proper distances, and of keeping guards constantly on foot, in order to descry the approach of his squadrons and to protect the inhabitants from their descents.[87] Of this the emperor had received repeated and clamorous complaints from his subjects, who represented it as an enterprise corresponding to his power and becoming his humanity to reduce Algiers, which, since the conquest of Tunis, was the common receptacle of all the freebooters, and to exterminate that lawless race, the implacable enemies of the Christian name. Moved partly by their entreaties, and partly allured by the hope of adding to the glory which he had acquired by his last expedition into Africa, Charles, before he left Madrid, in his way to the Low Countries, had issued orders, both in Spain and Italy, to prepare a fleet and army for this purpose. No change in circumstances since that time could divert him from this resolution or prevail on him to turn his arms towards Hungary; though the success of the Turks in that country seemed more immediately to require his presence there; though many of his most faithful adherents in Germany urged that the defence of the empire ought to be his first and peculiar care; though such as bore him no good will ridiculed his preposterous conduct in flying from an enemy almost at hand, that he might go in quest of a remote and more ignoble foe. But to attack the sultan in Hungary, how splendid soever that measure might appear, was an undertaking which exceeded his power and was not consistent with his interest. To draw troops out of Spain or Italy, to march them into a country

[85] Sleid., 283. [86] Sandoval, Hist., tom. ii. 298. [87] Jovii Hist., lib. xl. p. 266.

so distant as Hungary, to provide the vast apparatus necessary for transporting thither the artillery, ammunition, and baggage of a regular army, and to push the war in that quarter, where there was little prospect of bringing it to an issue during several campaigns, were undertakings so expensive and unwieldy as did not correspond with the low condition of the emperor's treasury. While his principal force was thus employed, his dominions in Italy and the Low Countries must have lain open to the French king, who would not have allowed such a favourable opportunity of attacking them to go unimproved. Whereas the African expedition, the preparations for which were already finished, and almost the whole expense of it defrayed, would depend upon a single effort, and, besides the security and satisfaction which the success of it must give his subjects, would detain him during so short a space that Francis could hardly take advantage of his absence to invade his dominions in Europe.

On all these accounts, Charles adhered to his first plan, and with such determined obstinacy that he paid no regard to the pope, who advised, or to Andrew Doria, who conjured him not to expose his whole armament to almost unavoidable destruction by venturing to approach the dangerous coast of Algiers at such an advanced season of the year and when the autumnal winds were so violent. Having embarked on board Doria's galleys at Porto-Venere, in the Genoese territories, he soon found that this experienced sailor had not judged wrong concerning the element with which he was so well acquainted; for such a storm arose that it was with the utmost difficulty and danger he reached Sardinia, the place of general rendezvous. But, as his courage was undaunted and his temper often inflexible, neither the remonstrances of the pope and Doria, nor the danger to which he had already been exposed by disregarding their advice, had any other effect than to confirm him in his fatal resolution. The force, indeed, which he had collected was such as might have inspired a prince less adventurous, and less confident in his own schemes, with the most sanguine hopes of success. It consisted of twenty thousand foot and two thousand horse, Spaniards, Italians, and Germans, mostly veterans, together with three thousand volunteers, the flower of the Spanish and Italian nobility, fond of paying court to the emperor by attending him in his favourite expedition, and eager to share in the glory which they believed he was going to reap; to these were added a thousand soldiers sent from Malta by the order of St. John, led by a hundred of its most gallant knights.

The voyage from Majorca to the African coast was not less tedious or full of hazard than that which he had just finished. When he approached the land, the roll of the sea and the vehemence of the winds would not permit the troops to disembark. But at last the emperor, seizing a favourable opportunity, landed them without opposition, not far from Algiers, and immediately advanced towards the town. To oppose this mighty army, Hascen had only eight hundred Turks, and five thousand Moors, partly natives of Africa and partly refugees from Granada. He returned, however, a fierce and haughty answer when summoned to surrender. But, with such a handful of soldiers, neither his desperate courage nor consummate skill in war could have long resisted forces superior to those which had defeated Barbarossa at the head of sixty thousand men, and which had reduced Tunis in spite of all his endeavours to save it.

But, how far soever the emperor might think himself beyond the reach of any danger from the enemy, he was suddenly exposed to a more dreadful calamity, and one against which human prudence and human efforts availed nothing. On the second day after his landing, and before he had time for anything but to disperse some light-armed Arabs who molested his troops on

their march, the clouds began to gather, and the heavens to appear with a fierce and threatening aspect. Towards evening, rain began to fall, accompanied with a violent wind; and, the rage of the tempest increasing during the night, the soldiers, who had brought nothing ashore but their arms, remained exposed to all its fury, without tents, or shelter, or cover of any kind. The ground was soon so wet that they could not lie down on it; their camp, being in a low situation, was overflowed with water, and they sunk at every step to the ankles in mud; while the wind blew with such impetuosity that to prevent their falling they were obliged to thrust their spears into the ground and to support themselves by taking hold of them. Hascen was too vigilant an officer to allow an enemy in such distress to remain unmolested. About the dawn of morning he sallied out with soldiers, who, having been screened from the storm under their own roofs, were fresh and vigorous. A body of Italians who were stationed nearest the city, dispirited and benumbed with cold, fled at the approach of the Turks. The troops at the post behind them discovered greater courage, but, as the rain had extinguished their matches and wet their powder, their muskets were useless, and, having scarcely strength to handle their other arms, they were soon thrown into confusion. Almost the whole army, with the emperor himself in person, was obliged to advance before the enemy could be repulsed, who, after spreading such general consternation, and killing a considerable number of men, retired at last in good order.

But all feeling or reemembrance of this loss and danger were quickly obliterated by a more dreadful as well as affecting spectacle. It was now broad day; the hurricane had abated nothing of its violence, and the sea appeared agitated with all the rage of which that destructive element is capable; all the ships, on which alone the whole army knew that their safety and subsistence depended, were seen driven from their anchors, some dashing against each other, some beat to pieces on the rocks, many forced ashore, and not a few sinking in the waves. In less than an hour fifteen ships of war and a hundred and forty transports, with eight thousand men, perished; and such of the unhappy crews as escaped the fury of the sea were murdered without mercy by the Arabs as soon as they reached land. The emperor stood in silent anguish and astonishment beholding this fatal event, which at once blasted all his hopes of success and buried in the depths the vast stores which he had provided as well for annoying the enemy as for subsisting his own troops. He had it not in his power to afford them any other assistance or relief than by sending some troops to drive away the Arabs and thus delivering a few who were so fortunate as to get ashore from the cruel fate which their companions had met with. At last the wind began to fall, and to give some hopes that as many ships might escape as would be sufficient to save the army from perishing by famine and transport them back to Europe. But these were only hopes: the approach of evening covered the sea with darkness; and, it being impossible for the officers aboard the ships which had outlived the storm to send any intelligence to their companions who were ashore, they remained during the night in all the anguish of suspense and uncertainty. Next day, a boat, despatched by Doria, made shift to reach land, with information that, having weathered out the storm, to which, during fifty years' knowledge of the sea, he had never seen any equal in fierceness and horror, he had found it necessary to bear away with his shattered ships to Cape Metafuz. He advised the emperor, as the face of the sky was still lowering and tempestuous, to march with all speed to that place, where the troops could re-embark with greater ease.

Whatever comfort this intelligence afforded Charles, from being assured that part of his fleet had escaped, was balanced by the new cares and perplexity in which it involved him with regard to his army. Metafuz was at least three days' march from his present camp; all the provisions which he had brought ashore at his first landing were now consumed; his soldiers, worn out with fatigue, were hardly able for such a march, even in a friendly country; and, being dispirited by a succession of hardships which victory itself would scarcely have rendered tolerable, they were in no condition to undergo new toils. But the situation of the army was such as allowed not one moment for deliberation, nor left it in the least doubtful what to choose. They were ordered instantly to march, the wounded, the sick, and the feeble being placed in the centre; such as seemed most vigorous were stationed in the front and rear. Then the sad effects of what they had suffered began to appear more manifestly than ever, and new calamities were added to all those which they had already endured. Some could hardly bear the weight of their arms; others, spent with the toil of forcing their way through deep and almost impassable roads, sank down and died; many perished by famine, as the whole army subsisted chiefly on roots and berries, or the flesh of horses, killed by the emperor's order and distributed among the several battalions; many were drowned in brooks, which were swollen so much by the excessive rains that in passing them they waded up to the chin; not a few were killed by the enemy, who, during the greatest part of their retreat, alarmed, harassed, and annoyed them night and day. At last they arrived at Metafuz; and, the weather being now so calm as to restore their communication with the fleet, they were supplied with plenty of provision and cheered with the prospect of safety.

During this dreadful series of calamities the emperor discovered great qualities, many of which a long-continued flow of prosperity had scarcely afforded him an opportunity of displaying. He appeared conspicuous for firmness and constancy of spirit, for magnanimity, fortitude, humanity, and compassion. He endured as great hardships as the meanest soldier; he exposed his own person wherever danger threatened; he encouraged the desponding, visited the sick and wounded, and animated all by his words and example. When the army embarked, he was among the last who left the shore, although a body of Arabs hovered at no great distance, ready to fall on the rear. By these virtues Charles atoned in some degree for his obstinacy and presumption in undertaking an expedition so fatal to his subjects.

The calamities which attended this unfortunate enterprise did not end here; for no sooner were the forces got on board than a new storm arising, though less furious than the former, scattered the fleet, and obliged them, separately, to make towards such ports in Spain or Italy as they could first reach; thus spreading the account of their disasters, with all the circumstances of aggravation and horror which their imagination, still under the influence of fear, suggested. The emperor himself, after escaping great dangers, and being forced into the port of Bugia in Africa, where he was obliged by contrary winds to remain several weeks, arrived at last in Spain, in a condition very different from that in which he had returned from his former expedition against the infidels.[88]

[88] Carol. V. Expeditio ad Argyriam, per Nicolaum Villagnonem Equitem Rhodium, ap. Scardium, v. ii. 365.—Jovii Hist., lib. xl. p. 269, etc.—Vera y Zuñiga, Vida de Carlos V., p. 83.—Sandoval, Hist., ii. 239, etc.

BOOK VII.

Renewal of Hostilities by Francis—Operations of his Forces—The Emperor's Negotiations with Henry VIII.—Henry's Rupture with France and Scotland—Francis's Negotiations with Solyman—The Campaign in the Low Countries—Solyman invades Hungary—Barbarossa's Descent upon Italy—Maurice of Saxony—The Pope calls a Council at Trent, but is obliged to prorogue it—Diet at Spires—Concessions to the Protestants by the Emperor—His Negotiations with Denmark and England—Battle of Cerisoles—Siege of St. Disier—Peace concluded at Crespy—War between France and England continued—Diet at Worms—The Protestants suspect the Emperor—Death of the Duke of Orleans—The Pope grants the Duchies of Parma and Placentia to his Son—The Council of Trent—The Protestants and the Emperor.

The calamities which the emperor suffered in his unfortunate enterprise against Algiers were great; and the account of these, which augmented in proportion as it spread at a greater distance from the scene of his disasters, encouraged Francis to begin hostilities, on which he had been for some time resolved. But he did not think it prudent to produce as the motives of this resolution either his ancient pretensions to the duchy of Milan or the emperor's disingenuity in violating his repeated promises with regard to the restitution of that country. The former might have been a good reason against concluding the truce of Nice, but was none for breaking it; the latter could not be urged without exposing his own credulity as much as the emperor's want of integrity. A violent and unwarrantable action of one of the imperial generals furnished him with a reason sufficient to justify his taking arms, which was of greater weight than either of these, and such as would have roused him if he had been as desirous of peace as he was eager for war. Francis, by signing the treaty of truce at Nice without consulting Solyman, gave (as he foresaw) great offence to that haughty monarch, who considered an alliance with him as an honour of which a Christian prince had cause to be proud. The friendly interview of the French king with the emperor in Provence, followed by such extraordinary appearances of union and confidence which distinguished the reception of Charles when he passed through the dominions of Francis to the Low Countries, induced the sultan to suspect that the two rivals had at last forgotten their ancient enmity in order that they might form such a general confederacy against the Ottoman power as had been long wished for in Christendom and often attempted in vain. Charles, with his usual art, endeavoured to confirm and strengthen these suspicions, by instructing his emissaries at Constantinople, as well as in those courts with which Solyman held any intelligence, to represent the concord between him and Francis to be so entire that their sentiments, views, and pursuits would be the same for the future.[1] It was not without difficulty that Francis effaced these impressions; but the address of Rincon, the French ambassador at the Porte, together with the manifest advantage of carrying on hostilities against the house of Austria in

[1] Mém. de Ribier, tom. i. p. 502.

concert with France, prevailed at length on the sultan not only to banish his suspicions, but to enter into a closer conjunction with Francis than ever. Rincon returned into France, in order to communicate to his master a scheme of the sultan's for gaining the concurrence of the Venetians in their operations against the common enemy. Solyman, having lately concluded a peace with that republic, to which the mediation of Francis and the good offices of Rincon had greatly contributed, thought it not impossible to allure the senate by such advantages as, together with the example of the French monarch, might overbalance any scruples, arising either from decency or caution, that could operate on the other side. Francis, warmly approving of this measure, despatched Rincon back to Constantinople, and, directing him to go by Venice along with Fregoso, a Genoese exile, whom he appointed his ambassador to that republic, empowered them to negotiate the matter with the senate, to whom Solyman had sent an envoy for the same purpose.[2] The marquis del Guasto, governor of the Milanese, an officer of great abilities, but capable of attempting and executing the most atrocious designs, got intelligence of the motions and destinations of these ambassadors. As he knew how much his master wished to discover the intentions of the French king, and of what consequence it was to retard the execution of his measures, he employed some soldiers belonging to the garrison of Pavia to lie in wait for Rincon and Fregoso as they sailed down the Po, who murdered them and most of their attendants and seized their papers. Upon receiving an account of this barbarous outrage, committed during the subsistence of a truce, against persons held sacred by the most uncivilized nations, Francis's grief for the unhappy fate of two servants whom he loved and trusted, his uneasiness at the interruption of his schemes by their death, and every other passion, were swallowed up and lost in the indignation which this insult on the honour of his crown excited. He exclaimed loudly against Guasto, who, having drawn upon himself all the infamy of assassination without making any discovery of importance, as the ambassadors had left their instructions and other papers of consequence behind them, now boldly denied his being accessory in any wise to the crime. He sent an ambassador to the emperor, to demand suitable reparation for an indignity which no prince, how inconsiderable or pusillanimous soever, could tamely endure; and when Charles, impatient at that time to set out on his African expedition, endeavoured to put him off with an evasive answer, he appealed to all the courts in Europe, setting forth the heinousness of the injury, the spirit of moderation with which he had applied for redress, and the iniquity of the emperor in disregarding this just request.

Notwithstanding the confidence with which Guasto asserted his own innocence, the accusations of the French gained greater credit than all his protestations; and Bellay, the French commander in Piedmont, procured at length, by his industry and address, such a minute detail of the transaction, with the testimony of so many of the parties concerned, as amounted almost to a legal proof of the marquis's guilt. In consequence of this opinion of the public, confirmed by such strong evidence, Francis's complaints were universally allowed to be well founded; and the steps which he took towards renewing hostilities were ascribed not merely to ambition or resentment, but to the unavoidable necessity of vindicating the honour of his crown.[3]

However just Francis might esteem his own cause, he did not trust so much to that as to neglect the proper precautions for gaining other allies besides the sultan, by whose aid he might counterbalance the emperor's superior power. But his negotiations to this effect were attended with very little

[2] Hist. di Venez, di Paruta, iv. 125. [3] Mém. de Bellay, 367, etc.—Jovii Hist., lib. xl. 268.

success. Henry VIII., eagerly bent at that time upon schemes against Scotland, which he knew would at once dissolve his union with France, was inclinable rather to take part with the emperor than to contribute in any degree towards favouring the operations against him. The pope adhered inviolably to his ancient system of neutrality. The Venetians, notwithstanding Solyman's solicitations, imitated the pope's example. The Germans, satisfied with the religious liberty which they enjoyed, found it more their interest to gratify than to irritate the emperor; so that the kings of Denmark and Sweden, who on this occasion were first drawn in to interest themselves in the quarrels of the more potent monarchs of the south, and the duke of Cleves, who had a dispute with the emperor about the possession of Gueldres, were the only confederates whom Francis secured. But the dominions of the two former lay at such a distance, and the power of the latter was so inconsiderable, that he gained little by their alliance.

But Francis, by vigorous efforts of his own activity, supplied every defect. Being afflicted at this time with a distemper which was the effect of his irregular pleasures and which prevented his pursuing them with the same licentious indulgence, he applied to business with more than his usual industry. The same cause which occasioned this extraordinary attention to his affairs rendered him morose and dissatisfied with the ministers whom he had hitherto employed. This accidental peevishness being sharpened by reflecting on the false steps into which he had lately been betrayed, as well as the insults to which he had been exposed, some of those in whom he had usually placed the greatest confidence felt the effects of this change in his temper, and were deprived of their offices. At last he disgraced Montmorency himself, who had long directed affairs, as well civil as military, with all the authority of a minister no less beloved than trusted by his master; and, Francis being fond of showing that the fall of such a powerful favourite did not affect the vigour or prudence of his administration, this was a new motive to redouble his diligence in preparing to open the war by some splendid and extraordinary effort.

He accordingly brought into the field five armies. One to act in Luxembourg, under the duke of Orleans, accompanied by the duke of Lorraine as his instructor in the art of war. Another, commanded by the dauphin, marched towards the frontiers of Spain. A third, led by Van Rossem, the marshal of Gueldres, and composed chiefly of the troops of Cleves, had Brabant allotted for the theatre of its operations. A fourth, of which the duke of Vendôme was general, hovered on the borders of Flanders. The last, consisting of the forces cantoned in Piedmont, was destined for the Admiral Annebaut. The dauphin and his brother were appointed to command where the chief exertions were intended and the greatest honour to be reaped; the army of the former amounted to forty thousand, that of the latter to thirty thousand men. Nothing appears more surprising than that Francis did not pour with these numerous and irresistible armies into the Milanese, which had so long been the object of his wishes as well as enterprises, and that he should choose rather to turn almost his whole strength into another direction and towards new conquests. But the remembrance of the disasters which he had met with in his former expeditions into Italy, together with the difficulty of supporting a war carried on at such a distance from his own dominions, had gradually abated his violent inclination to obtain footing in that country, and made him willing to try the fortune of his arms in another quarter. At the same time he expected to make such a powerful impression on the frontier of Spain, where there were few towns of any strength, and no army assembled

to oppose him, as might enable him to recover possession of the country of Roussillon, lately dismembered from the French crown, before Charles could bring into the field any force able to obstruct his progress. The necessity of supporting his ally the duke of Cleves, and the hope of drawing a considerable body of soldiers out of Germany by his means, determined him to act with vigour in the Low Countries.

The dauphin and duke of Orleans opened the campaign much about the same time, the former laying siege to Perpignan, the capital of Roussillon, and the latter entering Luxembourg. The duke of Orleans pushed his operations with the greatest rapidity and success, one town falling after another, until no place in that large duchy remained in the emperor's hands but Thionville. Nor could he have failed of overrunning the adjacent provinces with the same ease, if he had not voluntarily stopped short in this career of victory. But, a report prevailing that the emperor had determined to hazard a battle in order to save Perpignan, on a sudden the duke, prompted by youthful ardour, or moved, perhaps, by jealousy of his brother, whom he both envied and hated, abandoned his own conquest, and hastened towards Roussillon, in order to divide with him the glory of the victory.

On his departure, some of his troops were disbanded, others deserted their colours, and the rest, cantoned in the towns which he had taken, remained inactive. By this conduct, which leaves a dishonourable imputation either on his understanding or his heart, or on both, he not only renounced whatever he could have hoped from such a promising commencement of the campaign, but gave the enemy an opportunity of recovering, before the end of summer, all the conquests which he had gained. On the Spanish frontier, the emperor was not so inconsiderate as to venture on a battle, the loss of which might have endangered his kingdom. Perpignan, though poorly fortified and briskly attacked, having been largely supplied with ammunition and provisions by the vigilance of Doria,[4] was defended so long and so vigorously by the duke of Alva, the persevering obstinacy of whose temper fitted him admirably for such a service, that at last the French, after a siege of three months, wasted by diseases, repulsed in several assaults, and despairing of success, relinquished the undertaking and retired into their own country.[5] Thus all Francis's mighty preparations, either from some defect in his own conduct or from the superior power and prudence of his rival, produced no effects which bore any proportion to his expense and efforts, or such as gratified in any degree his own hopes or answered the expectation of Europe. The only solid advantage of the campaign was the acquisition of a few towns in Piedmont, which Bellay gained rather by stratagem and address than by force of arms.[6]

The emperor and Francis, though both considerably exhausted by such great but indecisive efforts, discovering no abatement of their mutual animosity, employed all their attention, tried every expedient, and turned themselves towards every quarter, in order to acquire new allies, together with such a reinforcement of strength as would give them the superiority in the ensuing campaign. Charles, taking advantage of the terror and resentment of the Spaniards upon the sudden invasion of their country, prevailed on the cortes of the several kingdoms to grant him subsidies with a more liberal hand than usual. At the same time he borrowed a large sum from John, king of Portugal, and, by way of security for his repayment, put him in possession of the Molucca Isles in the East Indies, with the gainful commerce of precious

[4] Sigonii Vita A. Doriæ, p. 1191.
[5] Sandoval, Hist., tom. ii. 315.
[6] Ibid., ii. 318.—Mém. de Bellay, 387, etc. —Ferreras, ix. 231.

spices which that sequestered corner of the globe yields. Not satisfied with this, he negotiated a marriage between Philip, his only son, now in his sixteenth year, and Mary, daughter of that monarch, with whom her father, the most opulent prince in Europe, gave a large dower; and, having likewise persuaded the cortes of Aragon and Valencia to recognize Philip as the heir of these crowns, he obtained from them the donative usual on such occasions.[7] These extraordinary supplies enabled him to make such additions to his forces in Spain that he could detach a great body into the Low Countries and yet reserve as many as were sufficient for the defence of the kingdom. Having thus provided for the security of Spain, and committed the government of it to his son, he sailed for Italy in his way to Germany. But, how attentive soever to raise the funds for carrying on the war, or eager to grasp at any new expedient for that purpose, he was not so inconsiderate as to accept of an overture which Paul, knowing his necessities, artfully threw out to him. That ambitious pontiff, no less sagacious to discern than watchful to seize opportunities of aggrandizing his family, solicited him to grant Octavio, his grandchild, whom the emperor had admitted to the honour of being his son-in-law, the investiture of the duchy of Milan, in return for which he promised such a sum of money as would have gone far towards supplying all his present exigencies. But Charles, as well from unwillingness to alienate a province of so much value, as from disgust at the pope, who had hitherto refused to join in the war against France, rejected the proposal. His dissatisfaction with Paul at that juncture was so great that he even refused to approve his alienating Parma and Placentia from the patrimony of St. Peter and settling them on his son and grandson as a fief to be held of the holy see. As no other expedient for raising money among the Italian states remained, he consented to withdraw the garrisons which he had hitherto kept in the citadels of Florence and Leghorn; in consideration for which he received a large present from Cosmo de' Medici, who by this means secured his own independence, and got possession of two forts, which were justly called the fetters of Tuscany.[8]

But Charles, while he seemed to have turned his whole attention towards raising the sums necessary for defraying the expenses of the year, had not been negligent of objects more distant, though no less important, and had concluded a league offensive and defensive with Henry VIII., from which he derived, in the end, greater advantages than from all his other preparations. Several slight circumstances, which have already been mentioned, had begun to alienate the affections of that monarch from Francis, with whom he had been for some time in close alliance; and new incidents of greater moment had occurred to increase his disgust and animosity. Henry, desirous of establishing a uniformity in religion in both the British kingdoms, as well as fond of making proselytes to his own opinions, had formed a scheme of persuading his nephew, the king of Scots, to renounce the pope's supremacy, and to adopt the same system of reformation which he had introduced into England. This measure he pursued with his usual eagerness and impetuosity, making such advantageous offers to James, whom he considered as not over-scrupulously attached to any religious tenets, that he hardly doubted of success. His propositions were accordingly received in such a manner that he flattered himself with having gained his point. But the Scottish ecclesiastics, foreseeing how fatal the union of their sovereign with England must prove both to their

[7] Ferreras, ix. 238, 241.—Jovii Hist., lib. xlii. 298, 6.

[8] Adriana, Istoria, i. 195.—Sleid., 312.—Jovii Hist., lib. xliii. p. 301.—Vita di Cos. Medici da Baldini, p. 34.

own power and to the established system of religion, and the partisans of France, no less convinced that it would put an end to the influence of that crown upon the public councils of Scotland, combined together, and, by their insinuations, defeated Henry's scheme at the very moment when he expected it to have taken effect.[9] Too haughty to brook such a disappointment, which he imputed as much to the arts of the French as tot he levity of the Scottish monarch, he took arms against Scotland, threatening to subdue the kingdom, since he could not gain the friendship of its king. At the same time, his resentment against Francis quickened his negotiations with the emperor, an alliance with whom he was now as forward to accept as the other could be to offer it. During this war with Scotland, and before the conclusion of his negotiations with Charles, James V. died, leaving his crown to Mary, his only daughter, an infant of a few days old. Upon this event Henry altered at once his whole system with regard to Scotland, and, abandoning all thoughts of conquering it, aimed at what was more advantageous as well as more practicable,—a union of that kingdom by a marriage between Edward, his only son, and the young queen. But here, too, he apprehended a vigorous opposition from the French faction in Scotland, which began to bestir itself in order to thwart the measure. The necessity of crushing this party among the Scots, and of preventing Francis from furnishing them any effectual aid, confirmed Henry's resolution of breaking with France, and pushed him on to put a finishing hand to the treaty of confederacy with the emperor.

In this league were contained, first of all, articles for securing their future amity and mutual defence; then were enumerated the demands which they were respectively to make upon France; and the plan of their operations was fixed, if he should refuse to grant them satisfaction. They agreed to require that Francis should not only renounce his alliance with Solyman, which had been the source of infinite calamities to Christendom, but also that he should make reparation for the damages which that unnatural union had occasioned; that he should restore Burgundy to the emperor; that he should desist immediately from hostilities, and leave Charles at leisure to oppose the common enemy of the Christian faith; and that he should immediately pay the sums due to Henry, or put some towns in his hands as security to that effect. If within forty days he did not comply with these demands, they then engaged to invade France each with twenty thousand foot and five thousand horse, and not to lay down their arms until they had recovered Burgundy, together with the towns on the Somme, for the emperor, and Normandy and Guienne, or even the whole realm of France, for Henry.[10] Their heralds, accordingly, set out with these haughty requisitions; and, though they were not permitted to enter France, the two monarchs held themselves fully entitled to execute whatever was stipulated in their treaty.

Francis, on his part, was not less diligent in preparing for the approaching campaign. Having early observed symptoms of Henry's disgust and alienation, and finding all his endeavours to soothe and reconcile him ineffectual, he knew his temper too well not to expect that open hostilities would quickly follow upon this cessation of friendship. For this reason he redoubled his endeavours to obtain from Solyman such aid as might counterbalance the great accession of strength which the emperor would receive by his alliance with England. In order to supply the place of the two ambassadors who had been murdered by Guasto, he sent as his envoy, first to Venice, and then to Constantinople, Paulin, who, though in no higher rank than a captain of foot, was deemed worthy of being raised to this important station, to which he

[9] Hist. of Scot., vol. i. p. 58, etc. [10] Rymer, xiv. 768.—Herb., 238.

was recommended by Bellay, who had trained him to the arts of negotiation and made trial of his talents and address on several occasions. Nor did he belie the opinion conceived of his courage and abilities. Hastening to Constantinople, without regarding the dangers to which he was exposed, he urged his master's demands with such boldness, and availed himself of every circumstance with such dexterity, that he soon removed all the sultan's difficulties. As some of the bashas, swayed either by their own opinion or influenced by the emperor's emissaries, who had made their way even into this court, had declared in the divan against acting in concert with France, he found means either to convince or silence them.[11] At last he obtained orders for Barbarossa to sail with a powerful fleet and to regulate all his operations by the directions of the French king. Francis was not equally successful in his attempts to gain the princes of the empire. The extraordinary rigour with which he thought it necessary to punish such of his subjects as had embraced the Protestant opinions, in order to give some notable evidence of his own zeal for the Catholic faith and to wipe off the imputations to which he was liable from his confederacy with the Turks, placed an insuperable barrier between him and such of the Germans as interest or inclination would have prompted most readily to join him.[12] His chief advantage, however, over the emperor he derived on this, as on other occasions, from the contiguity of his dominions, as well as from the extent of the royal authority in France, which exempted him from all the delays and disappointments unavoidable wherever popular assemblies provide for the expenses of government by occasional and frugal subsidies. Hence his domestic preparations were always carried on with vigour and rapidity, while those of the emperor, unless when quickened by some foreign supply or some temporary expedient, were extremely slow and dilatory.

Long before any army was in readiness to oppose him, Francis took the field in the Low Countries, against which he turned the whole weight of the war. He made himself master of Landrecy, which he determined to keep as the key to the whole province of Hainault, and ordered it to be fortified with great care. Turning from thence to the right, he entered the duchy of Luxembourg, and found it in the same defenceless state as in the former year. While he was thus employed, the emperor, having drawn together an army composed of all the different nations subject to his government, entered the territories of the duke of Cleves, on whom he had vowed to inflict exemplary vengeance. This prince, whose conduct and situation were similar to that of Robert de la Mark in the first war between Charles and Francis, resembled him likewise in his fate. Unable, with his feeble army, to face the emperor, who advanced at the head of forty-four thousand men, he retired at his approach; and the imperialists, being at liberty to act as they pleased, immediately invested Duren. That town, though gallantly defended, was taken by assault, all the inhabitants were put to the sword, and the place itself reduced to ashes. This general example of severity struck the people of the country with such general terror that all the other towns, even such as were capable of resistance, sent their keys to the emperor, and, before a body of French detached to his assistance could come up, the duke himself was obliged to make his submission to Charles in the most abject manner. Being admitted into the imperial presence, he kneeled, together with eight of his principal subjects, and implored mercy. The emperor allowed him to remain in that ignominious posture, and, eyeing him with a haughty and severe look, without

[11] Sandoval, Histor., tom. ii. 346.—Jovii Hist., lib. xli. 285, etc., 300, etc.—Brantôme.

[12] Seck., lib. iii. 403.

deigning to answer a single word, remitted him to his ministers. The conditions, however, which they prescribed were not so rigorous as he had reason to have expected after such a reception. He was obliged to renounce his alliance with France and Denmark; to resign all his pretensions to the duchy of Gueldres; to enter into perpetual amity with the emperor and king of the Romans. In return for which, all his hereditary dominions were restored, except two towns, which the emperor kept as pledges of the duke's fidelity during the continuance of the war; and he was reinstated in his privileges as a prince of the empire. Not long after, Charles, as a proof of the sincerity of his reconcilement, gave him in marriage one of the daughters of his brother Ferdinand.[13]

Having thus chastised the presumption of the duke of Cleves, detached one of his allies from Francis, and annexed to his own dominions in the Low Countries a considerable province which lay contiguous to them, Charles advanced towards Hainault and laid siege to Landrecy. There, as the first fruits of his alliance with Henry, he was joined by six thousand English, under Sir John Wallop. The garrison, consisting of veteran troops commanded by De la Lande and Dessé, two officers of reputation, made a vigorous resistance. Francis approached with all his forces to relieve that place; Charles covered the siege; both were determined to hazard an engagement; and all Europe expected to see this contest, which had continued so long, decided at last by a battle between two great armies, led by their respective monarchs in person. But the ground which separated their two camps was such as put the disadvantage manifestly on his side who should venture to attack, and neither of them chose to run that risk. Amidst a variety of movements in order to draw the enemy into the snare or to avoid it themselves, Francis, with admirable conduct and equal good fortune, threw first a supply of fresh troops, and then a convoy of provisions, into the town, so that the emperor, despairing of success, withdrew into winter quarters,[14] in order to prevent his army from being entirely ruined by the rigour of the season.

During this campaign, Solyman fulfilled his engagements to the French king with great punctuality. He himself marched into Hungary with a numerous army; and, as the princes of the empire made no great effort to save a country which Charles, by employing his own force against Francis, seemed willing to sacrifice, there was no appearance of any body of troops to oppose his progress. He besieged, one after another, Quinque Ecclesiæ, Alba, and Gran, the three most considerable towns in the kingdom of which Ferdinand had kept possession. The first was taken by storm; the other two surrendered; and the whole kingdom, a small corner excepted, was subjected to the Turkish yoke.[15] About the same time, Barbarossa sailed with a fleet of a hundred and ten galleys, and, coasting along the shore of Calabria, made a descent at Reggio, which he plundered and burnt; and, advancing from thence to the mouth of the Tiber, he stopped there to water. The citizens of Rome, ignorant of his destination, and filled with terror, began to fly with such general precipitation that the city would have been totally deserted, if they had not resumed courage upon letters from Paulin, the French envoy, assuring them that no violence or injury would be offered by the Turks to any state in alliance with the king his master.[16] From Ostia, Barbarossa sailed to Marseilles, and, being joined by the French fleet with a body of land-forces on board, under the Count d'Enguien, a gallant young prince of the house of

[13] Haræi Annal. Brabant., tom. i. 628.—Recueil des Traités, tom. ii. 226.

[14] Mém. de Bellay, 405, etc.

[15] Istuanhaffii Histor. Hung., lib. xv, 167

[16] Jovii Hist., lib. xliii. 304, etc.—Pallavic., 169.

Bourbon, they directed their course towards Nice, the sole retreat of the unfortunate duke of Savoy. There, to the astonishment and scandal of all Christendom, the lilies of France and crescent of Mahomet appeared in conjunction against a fortress on which the cross of Savoy was displayed. The town, however, was bravely defended against their combined force by Montfort, a Savoyard gentleman, who stood a general assault, and repulsed the enemy with great loss, before he retired into the castle. That fort, situated upon a rock, on which the artillery made no impression, and which could not be undermined, he held out so long that Doria had time to approach with his fleet, and the marquis del Guasto to march with a body of troops from Milan. Upon intelligence of this, the French and Turks raised the siege;[17] and Francis had not even the consolation of success, to render the infamy which he drew on himself, by calling in such an auxiliary, more pardonable.

From the small progress of either party during this campaign, it was obvious to what a length the war might be drawn out between the two princes, whose power was so equally balanced, and who by their own talents or activity could so vary and multiply their resources. The trial which they had now made of each other's strength might have taught them the imprudence of persisting in a war wherein there was greater appearance of their distressing their own dominions than of conquering those of their adversary, and should have disposed both to wish for peace. If Charles and Francis had been influenced by considerations of interest or prudence alone, this, without doubt, must have been the manner in which they would have reasoned. But the personal animosity which mingled itself in all their quarrels had grown to be so violent and implacable that for the pleasure of gratifying it they disregarded everything else, and were infinitely more solicitous how to hurt each other than how to secure what would be of advantage to themselves. No sooner, then, did the season force them to suspend hostilities, than, without paying any attention to the pope's repeated endeavours or paternal exhortations to re-establish peace, they began to provide for the operations of the next year with new vigour, and an activity increasing with their hatred. Charles turned his chief attention towards gaining the princes of the empire, and endeavoured to rouse the formidable but unwieldy strength of the Germanic body against Francis. In order to understand the propriety of the steps which he took for that purpose, it is necessary to review the chief transactions in that country since the diet of Ratisbon, in the year 1541.

Much about the time that assembly broke up, Maurice succeeded his father Henry in the government of that part of Saxony which belonged to the Albertine branch of the Saxon family. This young prince, then only in his twentieth year, had, even at that early period, begun to discover the great talents which qualified him for acting such a distinguished part in the affairs of Germany. As soon as he entered upon the administration, he struck out into such a new and singular path as showed that he aimed from the beginning at something great and uncommon. Though zealously attached to the Protestant opinions, both from education and principle, he refused to accede to the league of Smalkalde, being determined, as he said, to maintain the purity of religion, which was the original object of that confederacy, but not to entangle himself in the political interests or combinations to which it had given rise. At the same time, foreseeing a rupture between Charles and the confederates of Smalkalde, and perceiving which of them was most likely to prevail in the contest, instead of that jealousy and distrust which the other Protestants expressed of all the emperor's designs, he affected to place in him

[17] Guichenon, Histoire de Savoye, tom. i. p. 651.—Mém. de Bellay, 425, etc.

an unbounded confidence, and courted his favour with the utmost assiduity. When the other Protestants, in the year 1542, either declined assisting Ferdinand in Hungary, or afforded him reluctant and feeble aid, Maurice marched thither in person, and rendered himself conspicuous by his zeal and courage. From the same motive, he had led to the emperor's assistance, during the last campaign, a body of his own troops; and the gracefulness of his person, his dexterity in all military exercises, together with his intrepidity, which courted and delighted in danger, did not distinguish him more in the field than his great abilities and insinuating address won upon the emperor's confidence and favour.[18] While by this conduct, which appeared extraordinary to those who held the same opinions with him concerning religion, Maurice endeavoured to pay court to the emperor, he began to discover some degree of jealousy of his cousin, the elector of Saxony. This, which proved in the sequel so fatal to the elector, had almost occasioned an open rupture between them; and soon after Maurice's accession to the government they both took arms with equal rage upon account of a dispute about the right of jurisdiction over a paltry town situated on the Moldau. They were prevented, however, from proceeding to action by the mediation of the landgrave of Hesse, whose daughter Maurice had married, as well as by the powerful and authoritative admonitions of Luther.[19]

Amidst these transactions, the pope, though extremely irritated at the emperor's concessions to the Protestants at the diet of Ratisbon, was so warmly solicited on all hands, by such as were most devoutly attached to the see of Rome, no less than by those whose fidelity or designs he suspected, to summon a general council, that he found it impossible to avoid any longer calling that assembly. The impatience for its meeting, and the expectations of great effects from its decisions, seemed to grow in proportion to the difficulty of obtaining it. He still adhered, however, to his original resolution of holding it in some town of Italy, where, by the number of ecclesiastics, retainers to his court, and depending on his favour, who could repair to it without difficulty or expense, he might influence and even direct all its proceedings. This proposition, though often rejected by the Germans, he instructed his nuncio at the diet held at Spires, in the year 1542, to renew once more; and if he found it gave no greater satisfaction than formerly, he empowered him, as a last concession, to propose for the place of meeting Trent, a city in the Tyrol, subject to the king of the Romans, and situated on the confines between Germany and Italy. The Catholic princes in the diet, after giving it as their opinion that the council might have been held with greater advantage in Ratisbon, Cologne, or some of the great cities of the empire, were at length induced to approve of the place which the pope had named. The Protestants unanimously expressed their dissatisfaction, and protested that they would pay no regard to a council held beyond the precincts of the empire, called by the pope's authority, and in which he assumed the right of presiding.[20]

The pope, without taking any notice of their objections, published the bull of intimation, named three cardinals to preside as his legates, and appointed them to repair to Trent before the 1st of November, the day he had fixed for opening the council. But if Paul had desired the meeting of a council as sincerely as he pretended, he would not have pitched on such an improper time for calling it. Instead of that general union and tranquillity without which the deliberations of a council could neither be conducted with security nor attended with authority, such a fierce war was just kindled between the

[18] Sleid., 317.—Seck., lib. iii. 371, 386, 428.
[19] Sleid., 292.—Seck., lib. iii. 403.
[20] Sleid., 291.—Seck., lib. iii. 283.

emperor and Francis as rendered it impossible for the ecclesiastics from many parts of Europe to resort thither in safety. The legates, accordingly, remained several months in Trent; but, as no person appeared there except a few prelates from the ecclesiastical state, the pope, in order to avoid the ridicule and contempt which this drew upon him from the enemies of the Church, recalled them and prorogued the council.[21]

Unhappily for the authority of the papal see, at the very time that the German Protestants took every occasion of pouring contempt upon it the emperor and the king of the Romans found it necessary not only to connive at their conduct, but to court their favour by repeated acts of indulgence. In the same diet of Spires in which they had protested in the most disrespectful terms against assembling a council at Trent, Ferdinand, who depended on their aid for the defence of Hungary, not only permitted that protestation to be inserted in the records of the diet, but renewed in their favour all the emperor's concessions at Ratisbon, adding to them whatever they demanded for their further security. Among other particulars, he granted a suspension of a decree of the imperial chamber against the city of Goslar (one of those which had entered into the league of Smalkalde) on account of its having seized the ecclesiastical revenues within its domains, and enjoined Henry, duke of Brunswick, to desist from his attempts to carry that decree into execution. But Henry, a furious bigot, and no less obstinate than rash in all his undertakings, continuing to disquiet the people of Goslar by his incursions, the elector of Saxony and landgrave of Hesse, that they might not suffer any member of the Smalkaldic body to be oppressed, assembled their forces, declared war in form against Henry, and in the space of a few weeks, stripping him entirely of his dominions, drove him as a wretched exile to take refuge in the court of Bavaria. By this act of vengeance, no less severe than sudden, they filled all Germany with dread of their power, and the confederates of Smalkalde appeared, by this first effort of their arms, to be as ready as they were able to protect those who had joined the association.[22]

Emboldened by so many concessions in their favour, as well as by the progress which their opinions daily made, the princes of the league of Smalkalde took a solemn protest against the imperial chamber, and declined its jurisdiction for the future, because that court had not been visited or reformed according to the decree of Ratisbon, and continued to discover a most indecent partiality in all its proceedings. Not long after this they ventured a step farther, and, protesting against the recess of a diet held at Nuremberg, which provided for the defence of Hungary, refused to furnish their contingent for that purpose unless the imperial chamber were reformed and full security were granted them in every point with regard to religion.[23]

Such were the lengths to which the Protestants had proceeded, and such their confidence in their own power, when the emperor returned from the Low Countries, to hold a diet which he had summoned to meet at Spires. The respect due to the emperor, as well as the importance of the affairs which were to be laid before it, rendered this assembly extremely full. All the electors, a great number of princes, ecclesiastical and secular, with the deputies of most of the cities, were present. Charles soon perceived that this was not a time to offend the jealous spirit of the Protestants by asserting in any high tone the authority and doctrines of the Church, or by abridging in the smallest article the liberty which they now enjoyed, but that, on the contrary, if he expected

[21] F. Paul, p. 97.—Sleid., 296.

[22] Sleid., 296. — Commemoratio succincta Causarum Belli, etc., a Smalkaldicis contra Henr. Brunsw. ab iisdem edita, ap. Scardium, tom. ii. 307.

[23] Sleid., 304, 307.—Seck., lib. iii. 404, 416.

any support from them, or wished to preserve Germany from intestine disorders while he was engaged in a foreign war, he must soothe them by new concessions and a more ample extension of their religious privileges. He began, accordingly, with courting the elector of Saxony and landgrave of Hesse, the heads of the Protestant party: and by giving up some things in their favour, and granting liberal promises with regard to others, he secured himself from any danger of opposition on their part. Having gained this capital point, he then ventured to address the diet with greater freedom. He began by representing his own zeal and unwearied efforts with regard to two things most essential to Christendom,—the procuring of a general council in order to compose the religious dissensions which had unhappily arisen in Germany, and the providing some proper means for checking the formidable progress of the Turkish arms. But he observed with deep regret that his pious endeavours had been entirely defeated by the unjustifiable ambition of the French king, who, having wantonly kindled the flames of war in Europe, which had been so lately extinguished by the truce of Nice, rendered it impossible for the fathers of the Church to assemble in council or to deliberate with security, and obliged him to employ those forces in his own defence which with greater satisfaction to himself, as well as more honour to Christendom, he would have turned against the infidels; that Francis, not thinking it enough to have called him off from opposing the Mahometans, had, with unexampled impiety, invited them into the heart of Christendom, and, joining his arms to theirs, had openly attacked the duke of Savoy, a member of the empire; that Barbarossa's fleet was now in one of the ports of France, waiting only the return of spring to carry terror and desolation to the coast of some Christian state; that in such a situation it was folly to think of distant expeditions against the Turk, or of marching to oppose his armies in Hungary, while such a powerful ally received him into the centre of Europe and gave him footing there. It was a dictate of prudence, he added, to oppose the nearest and most imminent danger first of all, and, by humbling the power of France, to deprive Solyman of the advantages which he derived from the unnatural confederacy formed between him and a monarch who still arrogated the name of Most Christian; that, in truth, a war against the French king and the sultan ought to be considered as the same thing, and that every advantage gained over the former was a severe and sensible blow to the latter. On all these accounts, he concluded with demanding their aid against Francis, not merely as an enemy of the Germanic body or of him who was its head, but as an avowed ally of the infidels and a public enemy to the Christian name.

In order to give greater weight to this violent invective of the emperor, the king of the Romans stood up, and related the rapid conquests of the sultan in Hungary, occasioned, as he said, by the fatal necessity imposed on his brother of employing his arms against France. When he had finished, the ambassador of Savoy gave a detail of Barbarossa's operations at Nice, and of the ravages which he had committed on that coast. All these, added to the general indignation which Francis's unprecedented union with the Turks excited in Europe, made such an impression on the diet as the emperor wished, and disposed most of the members to grant him such effectual aid as he had demanded. The ambassadors whom Francis had sent to explain the motives of his conduct were not permitted to enter the bounds of the empire; and the apology which they published for their master, vindicating his alliance with Solyman by examples drawn from Scripture and the practice of Christian princes, was little regarded by men who were irritated already, or prejudiced against him to such

a degree as to be incapable of allowing their proper weight to any arguments in his behalf.

Such being the favourable disposition of the Germans, Charles perceived that nothing could now obstruct his gaining all that he aimed at but the fears and jealousies of the Protestants, which he determined to quiet by granting everything that the utmost solicitude of these passions could desire for the security of their religion. With this view, he consented to a recess whereby all the rigorous edicts hitherto issued against the Protestants were suspended; a council, either general or national, to be assembled in Germany, was declared necessary in order to re-establish peace in the Church; until one of these should be held (which the emperor undertook to bring about as soon as possible), the free and public exercise of the Protestant religion was authorized; the imperial chamber was enjoined to give no molestation to the Protestants, and when the term for which the present judges in that court were elected should expire, persons duly qualified were then to be admitted as members, without any distinction on account of religion. In return for these extraordinary acts of indulgence, the Protestants concurred with the other members of the diet in declaring war against Francis, in the name of the empire; in voting the emperor a body of twenty thousand foot and four thousand horse, to be maintained at the public expense for six months, to be employed against France; and at the same time the diet proposed a poll-tax, to be levied throughout all Germany on every person without exception, for the support of the war against the Turks.

Charles, while he gave the greatest attention to the minute and intricate detail of particulars necessary towards conducting the deliberations of a numerous and divided assembly to such a successful period, negotiated a separate peace with the king of Denmark, who, though he had hitherto performed nothing considerable in consequence of his alliance with Francis, had it in his power, however, to make a troublesome diversion in favour of that monarch.[24] At the same time, he did not neglect proper applications to the king of England, in order to rouse him to more vigorous efforts against their common enemy. Little, indeed, was wanting to accomplish this; for such events had happened in Scotland as inflamed Henry to the most violent pitch of resentment against Francis. Having concluded with the parliament of Scotland a treaty of marriage between his son and their young queen, by which he reckoned himself secure of effecting the union of the two kingdoms, which had been long desired, and often attempted without success by his predecessors, Mary of Guise, the queen-mother, Cardinal Beatoun, and other partisans of France, found means not only to break off the match, but to alienate the Scottish nation entirely from the friendship of England and to strengthen its ancient attachment to France. Henry, however, did not abandon an object of so much importance; and as the humbling of Francis, besides the pleasure of taking revenge upon an enemy who had disappointed a favourite measure, appeared the most effectual method of bringing the Scots to accept once more of the treaty which they had relinquished, he was so eager to accomplish this that he was ready to second whatever the emperor could propose to be attempted against the French king. The plan, accordingly, which they concerted was such, if it had been punctually executed, as must have ruined France in the first place, and would have augmented so prodigiously the emperor's power and territories as might in the end have proved fatal to the liberties of Europe. They agreed to invade France each with an army of twenty-five thousand men, and, without losing time in besieging the

[24] Du Mont, Corps Diplom., tom. iv. p. ii. p. 274.

frontier towns, to advance directly towards the interior provinces and to join their forces near Paris.[25]

Francis stood alone in opposition to all the enemies whom Charles was mustering against him. Solyman had been the only ally who did not desert him; but the assistance which he had received from him had rendered him so odious to all Christendom that he resolved rather to forego all the advantages of his friendship than to become on that account the object of general detestation. For this reason he dismissed Barbarossa as soon as winter was over, who, after ravaging the coast of Naples and Tuscany, returned to Constantinople. As Francis could not hope to equal the forces of so many powers combined against him, he endeavoured to supply that defect by despatch, which was more in his power, and to get the start of them in taking the field. Early in the spring the Count d'Enguien invested Carignan, a town in Piedmont, which the marquis del Guasto, the imperial general, having surprised the former year, considered as of so much importance that he had fortified it at great expense. The count pushed the siege with such vigour that Guasto, fond of his own conquest, and seeing no other way of saving it from falling into the hands of the French, resolved to hazard a battle in order to relieve it. He began his march from Milan for this purpose, and, as he was at no pains to conceal his intention, it was soon known in the French camp. Enguien, a gallant and enterprising young man, wished passionately to try the fortune of a battle; his troops desired it with no less ardour; but the peremptory injunction of the king not to venture a general engagement, flowing from a prudent attention to the present situation of affairs, as well as from the remembrance of former disasters, restrained him from venturing upon it. Unwilling, however, to abandon Carignan when it was just ready to yield, and eager to distinguish his command by some memorable action, he despatched Monluc to court, in order to lay before the king the advantages of fighting the enemy, and the hopes which he had of victory. The king referred the matter to his privy council; all the ministers declared, one after another, against fighting, and supported their sentiments by reasons extremely plausible. While they were delivering their opinions, Monluc, who was permitted to be present, discovered such visible and extravagant symptoms of impatience to speak, as well as such dissatisfaction with what he heard, that Francis, diverted with his appearance, called on him to declare what he could offer in reply to sentiments which seemed to be as just as they were general. Upon this, Monluc, a plain but spirited soldier, and of known courage, represented the good condition of the troops, their eagerness to meet the enemy in the field, their confidence in their officers, together with the everlasting infamy which the declining of a battle would bring on the French arms; and he urged his arguments with such a lively impetuosity and such a flow of military eloquence as gained over to his opinion not only the king, naturally fond of daring actions, but several of the council. Francis, catching the same enthusiasm which had animated his troops, suddenly started up, and, having lifted his hands to heaven and implored the divine protection, he then addressed himself to Monluc: "Go," says he, "return to Piedmont, and fight in the name of God."[26]

No sooner was it known that the king had given Enguien leave to fight the imperialists than such was the martial ardour of the gallant and high-spirited gentlemen of that age that the court was quite deserted, every person desirous of reputation or capable of service hurrying to Piedmont, in order to share, as volunteers, in the danger and glory of the action. Encouraged by the arrival

[25] Herbert, 245.—Mém. de Bellay, 448. [26] Mémoires de Monluc.

of so many brave officers, Enguien immediately prepared for battle; nor did Guasto decline the combat. The number of cavalry was almost equal, but the imperial infantry exceeded the French by at least ten thousand men. They met near Cerisoles, in an open plain, which afforded to neither any advantage of ground, and both had full time to form their army in proper order. The shock was such as might have been expected between veteran troops, violent and obstinate. The French cavalry, rushing forward to the charge with their usual vivacity, bore down everything that opposed them; but, on the other hand, the steady and disciplined valour of the Spanish infantry having forced the body which they encountered to give way, victory remained in suspense, ready to declare for whichever general could make the best use of that critical moment. Guasto, engaged in that part of his army which was thrown into disorder, and afraid of falling into the hands of the French, whose vengeance he dreaded on account of the murder of Rincon and Fregoso, lost his presence of mind, and forgot to order a large body of reserve to advance; whereas Enguien, with admirable courage and equal conduct, supported, at the head of his gens d'armes, such of his battalions as began to yield; and at the same time he ordered the Swiss in his service, who had been victorious wherever they fought, to fall upon the Spaniards. This motion proved decisive. All that followed was confusion and slaughter. The marquis del Guasto, wounded in the thigh, escaped only by the swiftness of his horse. The victory of the French was complete, ten thousand of the imperialists being slain, and a considerable number, with all their tents, baggage, and artillery, taken. On the part of the conquerors, their joy was without alloy, a few only being killed, and among these no officer of distinction.[27]

This splendid action, besides the reputation with which it was attended, delivered France from an imminent danger, as it ruined the army with which Guasto had intended to invade the country between the Rhone and Saone, where there were neither fortified towns nor regular forces to oppose his progress. But it was not in Francis's power to pursue the victory with such vigour as to reap all the advantages which it might have yielded; for though the Milanese remained now almost defenceless, though the inhabitants, who had long murmured under the rigour of the imperial government, were ready to throw off the yoke, though Enguien, flushed with success, urged the king to seize this happy opportunity of recovering a country the acquisition of which had been long his favourite object, yet, as the emperor and king of England were preparing to break in upon the opposite frontier of France with numerous armies, it became necessary to sacrifice all thoughts of conquest to the public safety, and to recall twelve thousand of Enguien's best troops to be employed in defence of the kingdom. Enguien's subsequent operations were of consequence so languid and inconsiderable that the reduction of Carignan and some other towns in Piedmont was all that he gained by his great victory at Cerisoles.[28]

The emperor, as usual, was late in taking the field, but he appeared, towards the beginning of June, at the head of an army more numerous and better appointed than any which he had hitherto led against France. It amounted almost to fifty thousand men; and, part of it having reduced Luxembourg and some other towns in the Netherlands before he himself joined it, he now marched with the whole towards the frontiers of Champagne. Charles, according to his agreement with the king of England, ought to have advanced directly towards Paris; and the dauphin, who commanded the only army to

[27] Mém. de Bellay, 429, etc.—Mém. de Monluc.—Jovii Hist., lib. xliv. p. 327, 6.

[28] Mém. de Bellay, 438, etc.

which Francis trusted for the security of his dominions in that quarter, was in no condition to oppose him. But the success with which the French had defended Provence in the year 1536 had taught them the most effectual method of distressing an invading enemy. Champagne, a country abounding more in vines than corn, was incapable of maintaining a great army; and before the emperor's approach, whatever could be of any use to his troops had been carried off or destroyed. This rendered it necessary for him to be master of some places of strength, in order to secure the convoys on which alone he now perceived that he must depend for subsistence; and he found the frontier towns so ill provided for defence that he hoped it would not be a work either of much time or difficulty to reduce them. Accordingly, Ligny and Commercy, which he first attacked, surrendered after a short resistance. He then invested St. Disier, which, though it commanded an important pass on the Marne, was destitute of everything necessary for sustaining a siege. But the Count de Sancerre and M. de la Lande, who had acquired such reputation by the defence of Landrecy, generously threw themselves into the town and undertook to hold it out to the last extremity. The emperor soon found how capable they were of making good their promise, and that he could not expect to take the town without besieging it in form. This, accordingly, he undertook; and, as it was his nature never to abandon any enterprise in which he had once engaged, he persisted in it with an inconsiderate obstinacy.

The king of England's preparations for the campaign were complete long before the emperor's; but, as he did not choose, on the one hand, to encounter alone the whole power of France, and was unwilling, on the other, that his troops should remain inactive, he took that opportunity of chastising the Scots, by sending his fleet, together with a considerable part of his infantry, under the earl of Hertford, to invade their country. Hertford executed his commission with vigour, plundered and burned Edinburgh and Leith, laid waste the adjacent country, and re-embarked his men with such despatch that they joined their sovereign soon after his landing in France.[29] When Henry arrived in that kingdom, he found the emperor engaged in the siege of St. Disier; an ambassador, however, whom he sent to congratulate the English monarch on his safe arrival on the continent, solicited him to march, in terms of the treaty, directly to Paris. But Charles had set his ally such an ill example of fulfilling the conditions of their confederacy with exactness, that Henry, observing him employ his time and forces in taking towns for his own behoof, saw no reason why he should not attempt the reduction of some places that lay conveniently for himself. Without paying any regard to the emperor's remonstrances, he immediately invested Boulogne, and commanded the duke of Norfolk to press the siege of Montreuil, which had been begun before his arrival, by a body of Flemings, in conjunction with some English troops. While Charles and Henry showed such attention each to his own interest, they both neglected the common cause. Instead of the union and confidence requisite towards conducting the great plan that they had formed, they early discovered a mutual jealousy of each other, which by degrees begot distrust and ended in open hatred.[30]

By this time Francis had, with unwearied industry, drawn together an army capable, as well from the number as from the valour of the troops, of making head against the enemy. But the dauphin, who still acted as general, prudently declining a battle, the loss of which would have endangered the kingdom, satisfied himself with harassing the emperor with his light troops, cutting off his convoys, and laying waste the country around him. Though

[29] History of Scotland, vol. i. p. 90. [30] Herbert.

extremely distresed by these operations, Charles still pressed the siege of St. Disier, which Sancerre defended with astonishing fortitude and conduct. He stood repeated assaults, repulsing the enemy in them all; and, undismayed even by the death of his brave associate De la Lande, who was killed by a cannon-ball, he continued to show the same bold countenance and obstinate resolution. At the end of five weeks he was still in a condition to hold out some time longer, when an artifice of Granvelle's induced him to surrender. That crafty politician, having intercepted the key to the cipher which the duke of Guise used in communicating intelligence to Sancerre, forged a letter in his name, authorising Sancerre to capitulate, as the king, though highly satisfied with his behaviour, thought it imprudent to hazard a battle for his relief. This letter he conveyed into the town in a manner which could raise no suspicion, and the governor fell into the snare. Even then he obtained such honourable conditions as his gallant defence merited, and, among others, a cessation of hostilities for eight days, at the expiration of which he bound himself to open the gates if Francis during that time did not attack the imperial army and throw fresh troops into the town.[31] Thus Sancerre, by detaining the emperor so long before an inconsiderable place, afforded his sovereign full time to assemble all his forces, and, what rarely falls to the lot of an officer in such an inferior command, acquired the glory of having saved his country.

As soon as St. Disier surrendered, the emperor advanced into the heart of Champagne; but Sancerre's obstinate resistance had damped his sanguine hopes of penetrating to Paris, and led him seriously to reflect on what he might expect before towns of greater strength and defended by more numerous garrisons. At the same time, the procuring subsistence for his army was attended with great difficulty, which increased in proportion as he withdrew farther from his own frontier. He had lost a great number of his best troops in the siege of St. Disier, and many fell daily in skirmishes, which it was not in his power to avoid, though they wasted his army insensibly, without leading to any decisive action. The season advanced apace, and he had not yet the command either of a sufficient extent of territory or of any such considerable town as rendered it safe to winter in the enemy's country. Great arrears too were now due to his soldiers, who were upon the point of mutinying for their pay, while he knew not from what funds to satisfy them. All these considerations induced him to listen to the overtures of peace which a Spanish Dominican, the confessor of his sister the queen of France, had secretly made to his confessor, a monk of the same order. In consequence of this, plenipotentiaries were named on both sides, and began their conferences in Chaussé, a small village near Châlons. At the same time, Charles, either from a desire of making one great final effort against France, or merely to gain a pretext for deserting his ally and concluding a separate peace, sent an ambassador formally to require Henry, according to the stipulation in their treaty, to advance towards Paris. While he expected a return from him, and waited the issue of the conferences at Chaussé, he continued to march forward, though in the utmost distress from scarcity of provisions. But at last, by a fortunate motion on his part, or through some neglect or treachery on that of the French, he surprised first Esperney, and then Château-Thierry, in both which were considerable magazines. No sooner was it known that these towns, the latter of which is not two days' march from Paris, were in the hands of the enemy, than that great capital, defenceless, and susceptible of any violent alarm in proportion to its greatness, was filled with consternation.

[31] Brantôme, tom. vi. 489.

The inhabitants, as if the emperor had been already at their gates, fled in the wildest confusion and despair, many sending their wives and children down the Seine to Rouen, others to Orleans and the towns upon the Loire. Francis himself, more afflicted with this than with any other event during his reign, and sensible as well of the triumph that his rival would enjoy in insulting his capital as of the danger to which the kingdom was exposed, could not refrain from crying out, in the first emotion of his surprise and sorrow, "How dear, O my God, do I pay for this crown, which I thought thou hadst granted me freely!"[32] but, recovering in a moment from this sudden sally of peevishness and impatience, he devoutly added, "Thy will, however, be done," and proceeded to issue the necessary orders for opposing the enemy, with his usual activity and presence of mind. The dauphin detached eight thousand men to Paris, which revived the courage of the affrighted citizens; he threw a strong garrison into Meaux, and by a forced march got into Ferté, between the imperialists and the capital.

Upon this, the emperor, who began again to feel the want of provisions, perceiving that the dauphin still prudently declined a battle, and not daring to attack his camp with forces so much shattered and reduced by hard service, turned suddenly to the right and began to fall back towards Soissons. Having about this time received Henry's answer, whereby he refused to abandon the sieges of Boulogne and Montreuil, of both which he expected every moment to get possession, he thought himself absolved from all obligations of adhering to the treaty with him, and at full liberty to consult his own interest in what manner soever he pleased. He consented, therefore, to renew the conference which the surprise of Esperney had broken off. To conclude a peace between two princes, one of whom greatly desired and the other greatly needed it, did not require a long negotiation. It was signed at Crespy, a small town near Meaux, on the 18th of September. The chief articles of it were, that all the conquests which either party had made since the truce of Nice shall be restored; that the emperor shall give in marriage to the duke of Orleans either his eldest daughter, or the second daughter of his brother Ferdinand; that if he chose to bestow on him his own daughter, he shall settle on her all the provinces of the Low Countries, to be erected into an independent state, which shall descend to the male issue of the marriage; that if he determined to give him his niece, he shall, with her, grant him the investiture of Milan and its dependencies; that he shall within four months declare which of these two princesses he had pitched upon, and fulfil the respective conditions upon the consummation of the marriage, which shall take place within a year from the date of the treaty; that as soon as the duke of Orleans is put in possession either of the Low Countries or of Milan, Francis shall restore to the duke of Savoy all that he now possesses of his territories, except Pignerol and Montmilian; that Francis shall renounce all pretensions to the kingdom of Naples or to the sovereignty of Flanders and Artois, and Charles shall give up his claim to the duchy of Burgundy and county of Charolois; that Francis shall give no aid to the exiled king of Navarre; that both monarchs shall join in making war upon the Turk, towards which the king shall furnish, when required by the emperor and empire, six hundred men-at-arms and ten thousand foot.[33]

Besides the immediate motives to this peace, arising from the distress of his army through want of provisions, from the difficulty of retreating out of France, and the impossibility of securing winter quarters there, the emperor

[32] Brantôme, tom. vi. 381.

[33] Recueil des Traités, tom. i. 227.—Belius de Causis Pacis Crepiac. in Actis Erudit., Lips., 1763.

was influenced by other considerations, more distant, indeed, but not less weighty. The pope was offended to a great degree, as well at his concessions to the Protestants in the late diet as at his consenting to call a council and to admit of public disputations in Germany with a view of determining the doctrines in controversy. Paul, considering both these steps as sacrilegious encroachments on the jurisdiction as well as privileges of the holy see, had addressed to the emperor a remonstrance rather than a letter on this subject, written with such acrimony of language and in a style of such high authority as discovered more of an intention to draw on a quarrel than of a desire to reclaim him. This ill humour was not a little inflamed by the emperor's league with Henry of England, which, being contracted with a heretic excommunicated by the apostolic see, appeared to the pope a profane alliance, and was not less dreaded by him than that of Francis with Solyman. Paul's son and grandson, highly incensed at the emperor for having refused to gratify them with regard to the alienation of Parma and Placentia, contributed by their suggestions to sour and disgust him still more. To all which was added the powerful operation of the flattery and promises which Francis incessantly employed to gain him. Though, from his desire of maintaining a neutrality, the pope had hitherto suppressed his own resentment, had eluded the artifices of his own family, and resisted the solicitations of the French king, it was not safe to rely much on the steadiness of a man whom his passions, his friends, and his interest combined to shake. The union of the pope with Francis, Charles well knew, would instantly expose his dominions in Italy to be attacked. The Venetians, he foresaw, would probably follow the example of a pontiff who was considered as a model of political wisdom among the Italians ; and thus, at a juncture when he felt himself hardly equal to the burden of the present war, he would be overwhelmed with the weight of a new confederacy against him.[34] At the same time the Turks, almost unresisted, made such progress in Hungary, reducing town after town, that they approached near to the confines of the Austrian provinces.[35] Above all these, the extraordinary progress of the Protestant doctrines in Germany, and the dangerous combination into which the princes of that profession had entered, called for his immediate attention. Almost one-half of Germany had revolted from the established Church ; the fidelity of the rest was much shaken ; the nobility of Austria had demanded of Ferdinand the free exercise of religion ;[36] the Bohemians, among whom some seeds of the doctrines of Huss still remained, openly favoured the new opinions ; the archbishop of Cologne, with a zeal which is seldom found among ecclesiastics, had begun the reformation of his diocese ; nor was it possible, unless some timely and effectual check were given to the spirit of innovation, to foresee where it would end. He himself had been a witness, in the late diet, to the peremptory and decisive tone which the Protestants had now assumed. He had seen how, from confidence in their number and union, they had forgotten the humble style of their first petitions, and had grown to such boldness as openly to despise the pope, and to show no great reverence for the imperial dignity itself. If, therefore, he wished to maintain either the ancient religion or his own authority, and would not choose to dwindle into a mere nominal head of the empire, some vigorous and speedy effort was requisite on his part, which could not be made during a war that required the greatest exertion of his strength against a foreign and powerful enemy.

Such being the emperor's inducements to peace, he had the address to frame the treaty of Crespy so as to promote all the ends which he had in view. By

[34] F. Paul, 100.—Pallavic., 163. [35] Istuanhaffii Hist. Hung., 177. [36] Sleid., 285.

coming to an agreement with Francis, he took from the pope all prospects of advantage in courting the friendship of that monarch in preference to his. By the proviso with regard to a war with the Turks, he not only deprived Solyman of a powerful ally, but turned the arms of that ally against him. By a private article, not inserted in the treaty, that it might not raise any unseasonable alarm, he agreed with Francis that both should exert all their influence and power in order to procure a general council, to assert its authority, and to exterminate the Protestant heresy out of their dominions. This cut off all chance of assistance which the confederates of Smalkalde might expect from the French king;[37] and, lest their solicitations or his jealousy of an ancient rival should hereafter tempt Francis to forget this engagement, he left him embarrassed with a war against England, which would put it out of his power to take any considerable part in the affairs of Germany.

Henry, possessed at all times with a high idea of his own power and importance, felt in the most sensible manner the neglect with which the emperor had treated him in concluding a separate peace. But the situation of his affairs was such as somewhat alleviated the mortification which this occasioned; for though he was obliged to recall the duke of Norfolk from the siege of Montreuil, because the Flemish troops received orders to retire, Boulogne had surrendered before the negotiations at Crespy were brought to an issue. While elated with vanity on account of this conquest, and inflamed with indignation against the emperor, the ambassadors whom Francis sent to make overtures of peace found him too arrogant to grant what was moderate or equitable. His demands were indeed extravagant and made in the tone of a conqueror: that Francis should renounce his alliance with Scotland, and not only pay up the arrears of former debts, but reimburse the money which Henry had expended in the present war. Francis, though sincerely desirous of peace and willing to yield a great deal in order to attain it, being now free from the pressure of the imperial arms, rejected these ignominious propositions with disdain; and, Henry departing for England, hostilities continued between the two nations.[38]

The treaty of peace, how acceptable soever to the people of France, whom it delivered from the dread of an enemy who had penetrated into the heart of the kingdom, was loudly complained of by the dauphin. He considered it as a manifest proof of the king his father's extraordinary partiality towards his younger brother, now duke of Orleans, and complained that from his eagerness to gain an establishment for a favourite son he had sacrificed the honour of the kingdom and renounced the most ancient as well as valuable rights of the crown. But, as he durst not venture to offend the king by refusing to ratify it, though extremely desirous at the same time of securing to himself the privilege of reclaiming what was now alienated so much to his detriment, he secretly protested, in presence of some of his adherents, against the whole transaction, and declared whatever he should be obliged to do in order to confirm it null in itself and void of all obligation. The parliament of Thoulouse, probably by the instigation of his partisans, did the same.[39] But Francis—highly pleased as well with having delivered his subjects from the miseries of an invasion as with the prospect of acquiring an independent settlement for his son at no greater price than that of renouncing conquests to which he had no just claim, titles which had brought so much expense and so many disasters upon the nation, and rights grown obsolete and of no value—ratified the

[37] Seck., lib. iii. 496.

[38] Mém. de Ribier, tom. i. p. 572.—Herbert, 244.

[39] Recueil des Traités, tom. ii. 235, 238.

treaty with great joy. Charles, within the time prescribed by the treaty, declared his intention of giving Ferdinand's daughter in marriage to the duke of Orleans, together with the duchy of Milan as her dowry.[40] Every circumstance seemed to promise the continuance of peace. The emperor, cruelly afflicted with the gout, appeared to be in no condition to undertake any enterprise where great activity was requisite or much fatigue to be endured. He himself felt this, or wished at least that it should be believed; and being so much disabled by this excruciating distemper, when a French ambassador followed him to Brussels in order to be present at his ratification of the treaty of peace, that it was with the utmost difficulty that he signed his name, he observed that there was no great danger of his violating these articles, as a hand that could hardly hold a pen was little able to brandish a lance.

The violence of his disease confined the emperor several months in Brussels, and was the apparent cause of putting off the execution of the great scheme which he had formed in order to humble the Protestant party in Germany. But there were other reasons for this delay; for, however prevalent the motives were which determined him to undertake this enterprise, the nature of that great body which he was about to attack, as well as the situation of his own affairs, made it necessary to deliberate long, to proceed with caution, and not too suddenly to throw aside the veil under which he had hitherto concealed his real sentiments and schemes. He was sensible that the Protestants, conscious of their own strength, but under continual apprehensions of his designs, had all the boldness of a powerful confederacy, joined to the jealousy of a feeble faction, and were no less quick-sighted to discern the first appearance of danger than ready to take arms in order to repel it. At the same time, he still continued involved in a Turkish war; and though, in order to deliver himself from this encumbrance, he had determined to send an envoy to the Porte with most advantageous and even submissive overtures of peace, the resolutions of that haughty court were so uncertain that, before these were known, it would have been highly imprudent to have kindled the flames of civil war in his own dominions.

Upon this account, he appeared dissatisfied with a bull issued by the pope immediately after the peace of Crespy, summoning the council to assemble at Trent early next spring, and exhorting all Christian princes to embrace the opportunity that the present happy interval of tranquillity afforded them of suppressing those heresies which threatened to subvert whatever was sacred or venerable among Christians. But, after such a slight expression of dislike as was necessary in order to cover his designs, he determined to countenance the council, which might become no inconsiderable instrument towards accomplishing his projects, and therefore not only appointed ambassadors to appear there in his name, but ordered the ecclesiastics in his dominions to attend at the time prefixed.[41]

Such were the emperor's views, when the imperial diet, after several prorogations, was opened at Worms. The Protestants, who enjoyed the free exercise of their religion by a very precarious tenure, having no other security for it than the recess of the last diet, which was to continue in force only until the meeting of a council, wished earnestly to establish that important privilege upon some firmer basis, and to hold it by a perpetual, not a temporary title. But, instead of offering them any additional security, Ferdinand opened the diet with observing that there were two points which chiefly required consideration,—the prosecution of the war against the Turks, and the state of religion; that the former was the most urgent, as Solyman, after conquering

[40] Recueil des Traités, tom. ii. 238. [41] F. Paul, 104.

the greatest part of Hungary, was now ready to fall upon the Austrian provinces; that the emperor, who from the beginning of his reign had neglected no opportunity of annoying this formidable enemy, and with the hazard of his own person had resisted his attacks, being animated still with the same zeal, had now consented to stop short in the career of his success against France, that, in conjunction with his ancient rival, he might turn his arms with greater vigour against the common adversary of the Christian faith; that it became all the members of the empire to second those pious endeavours of its head; that therefore they ought without delay to vote him such effectual aid as not only their duty but their interest called upon them to furnish; that the controversies about religion were so intricate, and of such difficult discussion, as to give no hope of its being possible to bring them at present to any final issue; that by perseverance and repeated solicitations the emperor had at length prevailed on the pope to call a council, for which they had so often wished and petitioned; that the time appointed for its meeting was now come, and both parties ought to wait for its decrees and submit to them as the decisions of the universal Church.

The popish members of the diet received this declaration with great applause, and signified their entire acquiescence in every particular which it contained. The Protestants expressed great surprise at propositions which were so manifestly repugnant to the recess of the former diet; they insisted that the questions with regard to religion, as first in dignity and importance, ought to come first under deliberation; that, alarming as the progress of the Turks was to all Germany, the securing the free exercise of their religion touched them still more nearly; nor could they prosecute a foreign war with spirit while solicitous and uncertain about their domestic tranquillity; that if the latter were once rendered firm and permanent they would concur with their countrymen in pushing the former, and yield to none of them in activity or zeal. But, if the danger from the Turkish arms were indeed so imminent as not to admit of such a delay as would be occasioned by an immediate examination of the controverted points in religion, they required that a diet should be instantly appointed, to which the final settlement of their religious disputes should be referred; and that in the mean time the decree of the former diet concerning religion should be explained in a point which they deemed essential. By the recess of Spires it was provided that they should enjoy unmolested the public exercise of their religion until the meeting of a legal council; but, as the pope had now called a council, to which Ferdinand had required them to submit, they began to suspect that their adversaries might take advantage of an ambiguity in the terms of the recess, and, pretending that the event therein mentioned had now taken place, might pronounce them to be no longer entitled to the same indulgence. In order to guard against this interpretation, they renewed their former remonstrances against a council called to meet without the bounds of the empire, summoned by the pope's authority, and in which he assumed the right of presiding, and declared that, notwithstanding the convocation of any such illegal assembly, they still held the recess of the late diet to be in full force.

At other junctures, when the emperor thought it of advantage to soothe and gain the Protestants, he had devised expedients for giving them satisfaction with regard to demands seemingly more extravagant; but, his views at present being very different, Ferdinand, by his command, adhered inflexibly to his first propositions, and would make no concessions which had the most remote tendency to throw discredit on the council or to weaken its authority. The Protestants, on their part, were no less inflexible; and, after much time

spent in fruitless endeavours to convince each other, they came to no agreement. Nor did the presence of the emperor, who upon his recovery arrived at Worms, contribute in any degree to render the Protestants more compliant. Fully convinced that they were maintaining the cause of God and of truth, they showed themselves superior to the allurements of interest or the suggestions of fear; and in proportion as the emperor redoubled his solicitations or discovered his designs, their boldness seems to have increased. At last they openly declared that they would not even deign to vindicate their tenets in presence of a council assembled not to examine but to condemn them, and that they would pay no regard to an assembly held under the influence of a pope who had already precluded himself from all title to act as a judge by his having stigmatized their opinions by the name of heresy and denounced against them the heaviest censures which, in the plenitude of his usurped power, he could inflict.[42]

While the Protestants with such union as well as firmness rejected all intercourse with the council, and refused their assent to the imperial demands in respect to the Turkish war, Maurice of Saxony alone showed an inclination to gratify the emperor with regard to both. Though he professed an inviolable regard for the Protestant religion, he assumed an appearance of moderation peculiar to himself, by which he confirmed the favourable sentiments which the emperor already entertained of him, and gradually paved the way for executing the ambitious designs which always occupied his active and enterprising mind.[43] His example, however, had little influence upon such as agreed with him in their religious opinions; and Charles perceived that he could not hope either to procure present aid from the Protestants against the Turks, or to quiet their fears and jealousies on account of their religion. But, as his schemes were not yet ripe for execution, nor his preparations so far advanced that he could force the compliance of the Protestants or punish their obstinacy, he artfully concealed his own intentions. That he might augment their security, he appointed a diet to be held at Ratisbon early next year, in order to adjust what was now left undetermined; and previous to it he agreed that a certain number of divines of each party should meet, in order to confer upon the points in dispute.[44]

But, how far soever this appearance of a desire to maintain the present tranquillity might have imposed upon the Protestants, the emperor was incapable of such uniform and thorough dissimulation as to hide altogether from their view the dangerous designs which he was meditating against them. Herman, Count de Wied, archbishop and elector of Cologne, a prelate conspicuous for his virtue and primitive simplicity of manners, though not more distinguished for learning than the other descendants of noble families who in that age possessed most of the great benefices in Germany, having become a proselyte to the doctrines of the Reformers, had begun, in the year 1543, with the assistance of Melancthon and Bucer, to abolish the ancient superstition in his diocese, and to introduce in its place the rites established among the Protestants. But the canons of his cathedral, who were not possessed with the same spirit of innovation, and who foresaw how fatal the levelling genius of the new sect would prove to their dignity and wealth, opposed, from the beginning, this unprecedented enterprise of their archbishop, with all the zeal flowing from reverence for old institutions, heightened by concern for their own interest. This opposition, which the archbishop considered only as a new argument to demonstrate the necessity of a reformation, neither shook

[42] Sleid., 343, etc.—Seck., iii. 543, etc.—Thuan., Hist., lib. ii. p. 56.

[43] Seck., iii. 571.

[44] Sleid., 351.

his resolution nor slackened his ardour in prosecuting his plan. The canons, perceiving all their endeavours to check his career to be ineffectual, solemnly protested against his proceedings, and appealed for redress to the pope and emperor, the former as his ecclesiastical, the latter as his civil superior. This appeal being laid before the emperor during his residence in Worms, he took the canons of Cologne under his immediate protection, enjoined them to proceed with rigour against all who revolted from the established Church, prohibited the archbishop to make any innovation in his diocese, and summoned him to appear at Brussels within thirty days, to answer the accusations which should be preferred against him.[45]

To this clear evidence of his hostile intentions against the Protestant party, Charles added other proofs still more explicit. In his hereditary dominions of the Low Countries he persecuted all who were suspected of Lutheranism with unrelenting rigour. As soon as he arrived at Worms, he silenced the Protestant preachers in that city. He allowed an Italian monk to inveigh against the Lutherans from the pulpit of his chapel, and to call upon him, as he regarded the favour of God, to exterminate that pestilent heresy. He despatched the embassy which has been already mentioned to Constantinople with overtures of peace, that he might be free from any apprehensions of danger or interruption from that quarter. Nor did any of these steps, or their dangerous tendency, escape the jealous observation of the Protestants, or fail to alarm their fears and to excite their solicitude for the safety of their sect.

Meanwhile, Charles's good fortune, which predominated on all occasions over that of his rival Francis, extricated him out of a difficulty from which, with all his sagacity and address, he would have found it no easy matter to have disentangled himself. Just about the time when the duke of Orleans should have received Ferdinand's daughter in marriage, and together with her the possession of the Milanese, he died of a malignant fever. By this event the emperor was freed from the necessity of giving up a valuable province into the hands of an enemy, or from the indecency of violating a recent and solemn engagement, which must have occasioned an immediate rupture with France. He affected, however, to express great sorrow for the untimely death of a young prince who was to have been so nearly allied to him; but he carefully avoided entering into any fresh discussions concerning the Milanese, and would not listen to a proposal which came from Francis of new-modelling the treaty of Crespy, so as to make him some reparation for the advantages which he had lost by the demise of his son. In the more active and vigorous part of Francis's reign, a declaration of war would have been the certain and instantaneous consequence of such a flat refusal to comply with a demand seemingly so equitable; but the declining state of his own health, the exhausted condition of his kingdom, together with the burden of the war against England, obliged him at present to dissemble his resentment and to put off thoughts of revenge to some other juncture. In consequence of this event, the unfortunate duke of Savoy lost all hope of obtaining the restitution of his territories; and the rights or claims relinquished by the treaty of Crespy returned in full force to the crown of France, to serve as pretexts for future wars.[46]

Upon the first intelligence of the duke of Orleans's death, the confederates of Smalkalde flattered themselves that the essential alterations which appeared to be unavoidable consequences of it could hardly fail of producing a rupture, which would prove the means of their safety. But they were not

[45] Sleid., 310, 340, 351.—Seck., iii. 443, 553.
[46] Belcarii Comment., 769.—Paruta, Hist. Venet., iv. 177.

more disappointed with regard to this than in their expectations from an event which seemed to be the certain prelude of a quarrel between the emperor and the pope. When Paul, whose passion for aggrandizing his family increased as he advanced in years and as he saw the dignity and power which they derived immediately from him becoming more precarious, found that he could not bring Charles to approve of his ambitious schemes, he ventured to grant his son Peter Lewis the investiture of Parma and Placentia, though at the risk of incurring the displeasure of the emperor. At a time when a great part of Europe inveighed openly against the corrupt manners and exorbitant power of ecclesiastics, and when a council was summoned to reform the disorders in the Church, this indecent grant of such a principality to a son of whose illegitimate birth the pope ought to have been ashamed, and whose licentious morals all good men detested, gave general offence. Some cardinals in the imperial interest remonstrated against such an unbecoming alienation of the patrimony of the Church; the Spanish ambassador would not be present at the solemnity of his infeoffment; and, upon pretext that these cities were part of the Milanese state, the emperor peremptorily refused to confirm the deed of investiture. But both the emperor and pope being intent upon one common object in Germany, they sacrificed their particular passions to that public cause, and suppressed the emotions of jealousy or resentment which were rising on this occasion, that they might jointly pursue what each deemed to be of greater importance.[47]

About this time the peace of Germany was disturbed by a violent but short irruption of Henry, duke of Brunswick. This prince, though still stripped of his dominions, which the emperor held in sequestration until his differences with the confederates of Smalkalde should be adjusted, possessed, however, so much credit in Germany that he undertook to raise for the French king a considerable body of troops to be employed in the war against England. The money stipulated for this purpose was duly advanced by Francis; the troops were levied; but Henry, instead of leading them towards France, suddenly entered his own dominions at their head, in hopes of recovering possession of them before any army could be assembled to oppose him. The confederates were not more surprised at this unexpected attack than the king of France was astonished at a mean, thievish fraud, so unbecoming the character of a prince. But the landgrave of Hesse, with incredible expedition, collected as many men as put a stop to the progress of Henry's undisciplined forces, and, being joined by his son-in-law Maurice, and by some troops belonging to the elector of Saxony, he gained such advantages over Henry, who was rash and bold in forming his schemes but feeble and undetermined in executing them, as obliged him to disband his army, and to surrender himself, together with his eldest son, prisoners at discretion. He was kept in close confinement, until a new reverse of affairs procured him liberty.[48]

As this defeat of Henry's wild enterprise added new reputation to the arms of the Protestants, the establishment of the Protestant religion in the Palatinate brought a great accession of strength to their party. Frederic, who succeeded his brother Lewis in that electorate, had long been suspected of a secret propensity to the doctrines of the Reformers, which upon his accession to the principality he openly manifested. But, as he expected that something effectual towards a general and legal establishment of religion would be the fruit of so many diets, conferences, and negotiations, he did not at first attempt any public innovation in his dominions. Finding all these issue in nothing, he thought himself called at length to countenance by his

[47] Paruta, Hist. Venet., iv. 178.—Pallavic., 180.

[48] Sleid., 352.—Seck., iii. 567.

authority the system which he approved of, and to gratify the wishes of his subjects, who by their intercourse with the Protestant states had almost universally imbibed their opinions. As the warmth and impetuosity which accompanied the spirit of reformation in its first efforts had somewhat abated, this change was made with great order and regularity; the ancient rites were abolished, and new forms introduced, without any acts of violence or symptoms of discontent. Though Frederic adopted the religious system of the Protestants, he imitated the example of Maurice, and did not accede to the league of Smalkalde.[49]

A few weeks before this revolution in the Palatinate, the general council was opened, with the accustomed solemnities, at Trent. The eyes of the Catholic states were turned with much expectation towards an assembly which all had considered as capable of applying an effectual remedy for the disorders of the Church when they first broke out, though many were afraid that it was now too late to hope for great benefits from it, when the malady, by being suffered to increase during twenty-eight years, had become inveterate and grown to such extreme violence. The pope, by his last bull of convocation, had appointed the first meeting to be held in March. But his views and those of the emperor were so different that almost the whole year was spent in negotiations. Charles, who foresaw that the rigorous decrees of the council against the Protestants would soon drive them, in self-defence as well as from resentment, to some desperate extreme, laboured to put off its meeting until his warlike preparations were so far advanced that he might be in a condition to second its decisions by the force of his arms. The pope, who had early sent to Trent the legates who were to preside in his name, knowing to what contempt it would expose his authority and what suspicions it would beget of his intentions if the fathers of the council should remain in a state of inactivity when the Church was in such danger as to require their immediate and vigorous interposition, insisted either upon translating the council to some city in Italy, or upon suspending altogether its proceedings at that juncture, or upon authorizing it to begin its deliberations immediately. The emperor rejected the two former expedients, as equally offensive to the Germans of every denomination; but, finding it impossible to elude the latter, he proposed that the council should begin with reforming the disorders in the Church before it proceeded to examine or define articles of faith. This was the very thing which the court of Rome dreaded most, and which had prompted it to employ so many artifices in order to prevent the meeting of such a dangerous judicatory. Paul, though more compliant than some of his predecessors with regard to calling a council, was no less jealous than they had been of its jurisdiction, and saw what matter of triumph such a method of proceeding would afford the heretics. He apprehended consequences not only humbling but fatal to the papal see if the council came to consider an inquest into abuses as their only business, or if inferior prelates were allowed to gratify their own envy and peevishness by prescribing rules to those who were exalted above them in dignity and power. Without listening, therefore, to this insidious proposal of the emperor, he instructed his legates to open the council.

The first session was spent in matters of form. In a subsequent one it was agreed that the framing a confession of faith, wherein should be contained all the articles which the Church required its members to believe, ought to be the first and principal business of the council, but that at the same time due attention should be given to what was necessary towards the reformation of

[49] Sleid., 356.—Seck., iii. 616.

manners and discipline. From this first symptom of the spirit with which the council was animated, from the high tone of authority which the legates who presided in it assumed, and from the implicit deference with which most of the members followed their directions, the Protestants conjectured with ease what decisions they might expect. It astonished them, however, to see forty prelates (for no greater number was yet assembled) assume authority as representatives of the universal Church and proceed to determine the most important points of doctrine in its name. Sensible of this indecency, as well as of the ridicule with which it might be attended, the council advanced slowly in its deliberations, and all its proceedings were for some time languishing and feeble.[50] As soon as the confederates of Smalkalde received information of the opening of the council, they published a long manifesto, containing a renewal of their protest against its meeting, together with the reasons which induced them to decline its jurisdiction.[51] The pope and emperor, on their part, were so little solicitous to quicken or add vigour to its operations, as plainly discovered that some object of greater importance occupied and interested them.

The Protestants were not inattentive or unconcerned spectators of the motions of the sovereign pontiff and of Charles, and they entertained every day more violent suspicions of their intentions, in consequence of intelligence received from different quarters of the machinations carrying on against them. The king of England informed them that the emperor, having long resolved to exterminate their opinions, would not fail to employ this interval of tranquillity which he now enjoyed as the most favourable juncture for carrying his design into execution. The merchants of Augsburg, which was at that time a city of extensive trade, received advice by means of their correspondents in Italy, among whom were some who secretly favoured the Protestant cause,[52] that a dangerous confederacy against it was forming between the pope and emperor. In confirmation of this, they heard from the Low Countries that Charles had issued orders, though with every precaution which could keep the measure concealed, for raising troops both there and in other parts of his dominions. Such a variety of information, corroborating all that their own jealousy or observation led them to apprehend, left the Protestants little reason to doubt of the emperor's hostile intentions. Under this impression, the deputies of the confederates of Smalkalde assembled at Frankfort, and, by communicating their intelligence and sentiments to each other, reciprocally heightened their sense of the impending danger. But their union was not such as their situation required, or the preparations of their enemies rendered necessary. Their league had now subsisted ten years. Among so many members, whose territories were intermingled with each other, and who, according to the customs of Germany, had created an infinite variety of mutual rights and claims by intermarriages, alliances, and contracts of different kinds, subjects of jealousy and discord had unavoidably arisen. Some of the confederates, being connected with the duke of Brunswick, were highly disgusted with the landgrave on account of the rigour with which he had treated that rash and unfortunate prince. Others taxed the elector of Saxony and landgrave, the heads of the league, with having involved the members in unnecessary and exorbitant expenses by their profuseness or want of economy. The views, likewise, and temper of those two princes, who by their superior power and authority influenced and directed the whole body, being extremely different, rendered all its motions languid, at a time when the utmost vigour and despatch were requisite. The landgrave, of a violent and enterprising temper, but not forgetful, amidst his zeal for religion, of the usual maxims of human

[50] F. Paul, 120, etc.—Pallavic., 180. [51] Seck., iii. 602, etc. [52] Ibid., 579.

policy, insisted that, as the danger which threatened them was manifest and unavoidable, they should have recourse to the most effectual expedient for securing their own safety, by courting the protection of the kings of France and England, or by joining in alliance with the Protestant cantons of Switzerland, from whom they might expect such powerful and present assistance as their situation demanded. The elector, on the other hand, with the most upright intentions of any prince in that age, and with talents which might have qualified him abundantly for the administration of government in any tranquil period, was possessed with such superstitious veneration for all the parts of the Lutheran system, and such bigoted attachment to all its tenets, as made him averse to a union with those who differed from him in any article of faith, and rendered him very incapable of undertaking its defence in times of difficulty and danger. He seemed to think that the concerns of religion were to be regulated by principles and maxims totally different from those which apply to the common affairs of life; and, being swayed too much by the opinions of Luther, who was not only a stranger to the rules of political conduct, but despised them, he often discovered an uncomplying spirit that proved of the greatest detriment to the cause which he wished to support. Influenced on this occasion by the severe and rigid notions of that Reformer, he refused to enter into any confederacy with Francis, because he was a persecutor of the truth, or to solicit the friendship of Henry, because he was no less impious and profane than the pope himself, or even to join in alliance with the Swiss, because they differed from the Germans in several essential articles of faith. This dissension about a point of such consequence produced its natural effects. Each secretly censured and reproached the other. The landgrave considered the elector as fettered by narrow prejudices unworthy of a prince called to act a chief part in a scene of such importance. The elector suspected the landgrave of loose principles and ambitious views which corresponded ill with the sacred cause wherein they were engaged. But, though the elector's scruples prevented their timely application for foreign aid, and the jealousy or discontent of the other princes defeated a proposal for renewing their original confederacy, the term during which it was to continue in force being on the point of expiring, yet the sense of their common danger induced them to agree with regard to other points, particularly that they would never acknowledge the assembly of Trent as a lawful council, nor suffer the archbishop of Cologne to be oppressed on account of the steps which he had taken towards the reformation of his diocese.[53]

The landgrave, about this time, desirous of penetrating to the bottom of the emperor's intentions, wrote to Granvelle, whom he knew to be thoroughly acquainted with all his master's schemes, informing him of the several particulars which raised the suspicions of the Protestants, and begging an explicit declaration of what they had to fear or to hope. Granvelle, in return, assured them that the intelligence which they had received of the emperor's military preparations was exaggerated, and all their suspicions destitute of foundation; that though, in order to guard his frontiers against any insult of the French or English, he had commanded a small body of men to be raised in the Low Countries, he was as solicitous as ever to maintain tranquillity in Germany.[54]

But the emperor's actions did not correspond with these professions of his minister. For, instead of appointing men of known moderation and a pacific temper to appear in defence of the Catholic doctrines at the conference which had been agreed on, he made choice of fierce bigots, attached to their own

[53] Seck., iii. 566, 570, 613.—Sleid., 355. [54] Ibid., 356.

system with a blind obstinacy that rendered all hope of a reconcilement desperate. Malvenda, a Spanish divine, who took upon him the conduct of the debate on the part of the Catholics, managed it with all the subtle dexterity of a scholastic metaphysician, more studious to perplex his adversaries than to convince them, and intent on palliating error than on discovering truth. The Protestants, filled with indignation as well at his sophistry as at some regulations which the emperor endeavoured to impose on the disputants, broke off the conference abruptly, being now fully convinced that in all his late measures the emperor could have no other view than to amuse them, and to gain time for ripening his own schemes.[55]

[55] Sleid., 358.—Seck., iii. 620.

BOOK VIII.

Death of Luther—Hostility of the Emperor towards the Protestants—His Alliances—Diet at Ratisbon—The Emperor's Treaty with the Pope—The Protestants prepare for Defence and seek for Aid—They lose by Inaction—Their first Operations—The Emperor declines Battle—Maurice of Saxony, his Treachery—Separation of the Confederate Army—Rigorous Conduct of the Emperor to those who yielded—Contest between Maurice of Saxony and the Elector—The Pope recalls his Troops—Conspiracy in Genoa—Fiesco, Count of Lavagna.

While appearances of danger daily increased, and the tempest which had been so long a gathering was ready to break forth in all its violence against the Protestant Church, Luther was saved, by a seasonable death, from feeling or beholding its destructive rage. Having gone, though in a declining state of health and during a rigorous season, to his native city of Eisleben, in order to compose by his authority a dissension among the counts of Mansfield, he was seized with a violent inflammation in his stomach, which in a few days put an end to his life, in the sixty-third year of his age. As he was raised up by Providence to be the author of one of the greatest and most interesting revolutions recorded in history, there is not any person, perhaps, whose character has been drawn with such opposite colours. In his own age, one party, struck with horror and inflamed with rage when they saw with what a daring hand he overturned everything which they held to be sacred or valued as beneficial, imputed to him not only all the defects and vices of a man, but the qualities of a demon. The other, warmed with the admiration and gratitude which they thought he merited as the restorer of light and liberty to the Christian Church, ascribed to him perfections above the condition of humanity, and viewed all his actions with a veneration bordering on that which should be paid only to those who are guided by the immediate inspiration of Heaven. It is his own conduct, not the undistinguishing censure or the exaggerated praise of his contemporaries, that ought to regulate the opinions of the present age concerning him. Zeal for what he regarded as truth, undaunted intrepidity to maintain his own system, abilities, both natural and acquired, to defend his principles, and unwearied industry in propagating them, are virtues which shine so conspicuously in every part of his behaviour that even his enemies must allow him to have possessed them in an eminent degree. To these may be added, with equal justice, such purity and even austerity of manners as became one who assumed the character of a reformer, such sanctity of life as suited the doctrine which he delivered, and such perfect disinterestedness as affords no slight presumption of his sincerity. Superior to all selfish considerations, a stranger to the elegancies of life, and despising its pleasures, he left the honours and emoluments of the Church to his disciples, remaining satisfied himself in his original state of professor in the university and pastor of the town of Wittemberg, with the moderate appointments

annexed to these offices. His extraordinary qualities were alloyed with no inconsiderable mixture of human frailty and human passions. These, however, were of such a nature that they cannot be imputed to malevolence or corruption of heart, but seem to have taken their rise from the same source with many of his virtues. His mind, forcible and vehement in all its operations, roused by great objects or agitated by violent passions, broke out, on many occasions, with an impetuosity which astonishes men of feebler spirits or such as are placed in a more tranquil situation. By carrying some praiseworthy dispositions to excess, he bordered sometimes on what was culpable, and was often betrayed into actions which exposed him to censure. His confidence that his own opinions were well founded approached to arrogance; his courage in asserting them, to rashness; his firmness in adhering to them, to obstinacy; and his zeal in confuting his adversaries, to rage and scurrility. Accustomed himself to consider everything as subordinate to truth, he expected the same deference for it from other men; and, without making any allowances for their timidity or prejudices, he poured forth against such as disappointed him in this particular a torrent of invective mingled with contempt. Regardless of any distinction of rank or character when his doctrines were attacked, he chastised all his adversaries indiscriminately with the same rough hand: neither the royal dignity of Henry VIII. nor the eminent learning and abilities of Erasmus screened them from the same gross abuse with which he treated Tetzel or Eckius.

But these indecencies of which Luther was guilty must not be imputed wholly to the violence of his temper: they ought to be charged in part on the manners of the age. Among a rude people, unacquainted with those maxims which, by putting continual restraint on the passions of individuals, have polished society and rendered it agreeable, disputes of every kind were managed with heat, and strong emotions were uttered in their natural language, without reserve or delicacy. At the same time, the works of learned men were all composed in Latin, and they were not only authorized, by the example of eminent writers in that language, to use their antagonists with the most illiberal scurrility, but in a dead tongue indecencies of every kind appear less shocking than in a living language, whose idioms and phrases seem gross because they are familiar.

In passing judgment upon the characters of men, we ought to try them by the principles and maxims of their own age, not by those of another. For, although virtue and vice are at all times the same, manners and customs vary continually. Some parts of Luther's behaviour which to us appear most culpable gave no disgust to his contemporaries. It was even by some of these qualities which we are now apt to blame that he was fitted for accomplishing the great work which he undertook. To rouse mankind when sunk in ignorance or superstition, and to encounter the rage of bigotry armed with power, required the utmost vehemence of zeal, as well as a temper daring to excess. A gentle call would neither have reached nor have excited those to whom it was addressed. A spirit more amiable but less vigorous than Luther's would have shrunk back from the dangers which he braved and surmounted. Towards the close of Luther's life, though without any perceptible diminution of his zeal or abilities, the infirmities of his temper increased upon him, so that he grew daily more peevish, more irascible, and more impatient of contradiction. Having lived to be a witness of his own amazing success, to see a great part of Europe embrace his doctrines, and to shake the foundation of the papal throne, before which the mightiest monarchs had trembled, he discovered, on some occasions, symptoms of vanity and self-applause. He must have been,

indeed, more than man, if, upon contemplating all that he actually accomplished, he had never felt any sentiment of this kind rising in his breast.[1]

Some time before his death, he felt his strength declining, his constitution being worn out by a prodigious multiplicity of business, added to the labour of discharging his ministerial function with unremitting diligence, to the fatigue of constant study, besides the composition of works as voluminous as if he had enjoyed uninterrupted leisure and retirement. His natural intrepidity did not forsake him at the approach of death; his last conversation with his friends was concerning the happiness reserved for good men in a future life, of which he spoke with the fervour and delight natural to one who expected and wished to enter soon upon the enjoyment of it.[2] The account of his death filled the Roman Catholic party with excessive as well as indecent joy, and damped the spirits of all his followers,—neither party sufficiently considering that his doctrines were now so firmly rooted as to be in a condition to flourish independent of the hand which had first planted them. His funeral was celebrated, by order of the elector of Saxony, with extraordinary pomp. He left several children by his wife, Catherine à Boria, who survived him. Towards the end of the last century there were in Saxony some of his descendants in decent and honourable stations.[3]

The emperor meanwhile pursued the plan of dissimulation with which he had set out, employing every art to amuse the Protestants and to quiet their fears and jealousies. For this purpose he contrived to have an interview with the landgrave of Hesse, the most active of all the confederates and the most suspicious of his designs. To him he made such warm professions of his concern for the happiness of Germany and of his aversion to all violent measures, he denied in such express terms his having entered into any league or having begun any military preparations which should give any just cause of alarm to the Protestants, as seem to have dispelled all the landgrave's doubts and apprehensions and sent him away fully satisfied of his pacific intentions. This artifice was of great advantage, and effectually answered the purpose for which it was employed. The landgrave, upon his leaving Spires, where he had been admitted to this interview, went to Worms, where the Smalkaldic confederates were assembled, and gave them such a flattering representation of the emperor's favourable disposition towards them that they, who were too apt, as well from the temper of the German nation as from the genius of all great associations or bodies of men, to be slow and dilatory and undecisive in their deliberations, thought there was no necessity of taking any immediate measures against danger which appeared to be distant or imaginary.[4]

Such events, however, soon occurred as staggered the credit which the Protestants had given to the emperor's declarations. The Council of Trent, though still composed of a small number of Italian and Spanish prelates, without a single deputy from many of the kingdoms which it assumed a right

[1] A remarkable instance of this, as well as of a certain singularity and elevation of sentiment, is found in his last will. Though the effects which he had to bequeath were very inconsiderable, he thought it necessary to make a testament, but scorned to frame it with the usual legal formalities: "Notus sum," says he, "in cœlo, in terra, et inferno: et auctoritatem ad hoc sufficientem habeo, ut mihi soli credatur, cum Deus mihi, homini licet damnabili, et miserabili peccatori, ex paterna misericordia Evangelium filii sui crediderit, dederitque ut in eo verax et fidelis fuerim, ita ut multi in mundo illud per me acceperint, et me pro doctore veritatis agnoverint, spreto banno papæ, cæsaris, regum, principum et sacerdotum, immo omnium dæmonum odio. Quidni, igitur, ad dispositionem hanc, in re exigua, sufficiat, si adsit manus meæ testimonium, et dici possit, Hæc scripsit D. Martinus Luther, notarius Dei, et testis Evangelii eius." Seck., lib. iii. 651.

[2] Sleid., 362.—Seck., lib. iii. 632, etc.

[3] Ibid., 651.

[4] Sleid., Hist., 367,373.

of binding by its decrees, being ashamed of its long inactivity, proceeded now to settle articles of the greatest importance. Having begun with examining the first and chief point in controversy between the Church of Rome and the Reformers, concerning the rule which should be held as supreme and decisive in matters of faith, the council, by its infallible authority, determined, "That the books to which the designation of *apocryphal* hath been given are of equal authority with those which were received by the Jews and primitive Christians into the sacred canon; that the traditions handed down from the Apostolic age and preserved in the Church are entitled to as much regard as the doctrines and precepts which the inspired authors have committed to writing; that the Latin translation of the Scriptures made or revised by St. Jerome, and known by the name of the *Vulgate* translation, should be read in churches and appealed to in the schools as authentic and canonical." Against all who disclaimed the truth of these tenets anathemas were denounced in the name and by the authority of the Holy Ghost. The decision of these points, which undermined the main foundation of the Lutheran system, was a plain warning to the Protestants what judgment they might expect when the council should have leisure to take into consideration the particular and subordinate articles of their creed.[5]

This discovery of the council's readiness to condemn the opinions of the Protestants was soon followed by a striking instance of the pope's resolution to punish such as embraced them. The appeal of the canons of Cologne against their archbishop having been carried to Rome, Paul eagerly seized on that opportunity both of displaying the extent of his own authority and of teaching the German ecclesiastics the danger of revolting from the established Church. As no person appeared in behalf of the archbishop, he was held to be convicted of the crime of heresy, and a papal bull was issued depriving him of his ecclesiastical dignity, inflicting on him the sentence of excommunication, and absolving his subjects from the oath of allegiance which they had taken to him as their civil superior. The countenance which he had given to the Lutheran heresy was the only crime imputed to him, as well as the only reason assigned to justify the extraordinary severity of this decree. The Protestants could hardly believe that Paul, how zealous soever he might be to defend the established system or to humble those who invaded it, would have ventured to proceed to such extremities against a prince and elector of the empire, without having previously secured such powerful protection as would render his censure something more than an impotent and despicable sally of resentment. They were, of course, deeply alarmed at this sentence against the archbishop, considering it as a sure indication of the malevolent intentions not only of the pope, but of the emperor, against the whole party.[6]

Upon this fresh revival of their fears with such violence as is natural to men roused from a false security and conscious of their having been deceived, Charles saw that now it became necessary to throw aside the mask and to declare openly what part he determined to act. By a long series of artifice and fallacy he had gained so much time that his measures, though not altogether ripe for execution, were in great forwardness. The pope, by his proceedings against the elector of Cologne, as well as by the decree of the council, had precipitated matters into such a situation as rendered a breach between the emperor and the Protestants almost unavoidable. Charles had, therefore, no choice left him but either to take part with them in overturning what the see of Rome had determined, or to support the authority of the Church openly by force of arms. Nor did the pope think it enough to have brought the emperor

[5] F. Paul, 141.—Pallav., 206.

[6] Sleid., 354.—F. Paul, 155.– Pallav., 224.

under a necessity of acting: he pressed him to begin his operations immediately, and to carry them on with such vigour as could not fail of securing success. Transported by his zeal against heresy, Paul forgot all the prudent and cautious maxims of the papal see with regard to the danger of extending the imperial authority beyond due bounds; and in order to crush the Lutherans he was willing to contribute towards raising up a master that might one day prove formidable to himself as well as to the rest of Italy.

But, besides the certain expectation of assistance from the pope, Charles was now secure from any danger of interruption to his designs by the Turkish arms. His negotiations at the Porte, which he had carried on with great assiduity since the peace of Crespy, were on the point of being terminated in such a manner as he desired. Solyman, partly in compliance with the French king, who, in order to avoid the disagreeable obligation of joining the emperor against his ancient ally, laboured with great zeal to bring about an accommodation between them, and partly from its being necessary to turn his arms towards the East, where the Persians threatened to invade his dominions, consented without difficulty to a truce for five years. The chief article of it was, "That each should retain possession of what he now held in Hungary; and Ferdinand, as a sacrifice to the pride of the sultan, submitted to pay an annual tribute of fifty thousand crowns." [7]

But it was upon the aid and concurrence of the Germans themselves that the emperor relied with the greatest confidence. The Germanic body, he knew, was of such vast strength as to be invincible if it were united, and that it was only by employing its own force that he could hope to subdue it. Happily for him, the union of the several members in this great system was so feeble, the whole frame was so loosely compacted, and its different parts tended so violently towards separation from each other, that it was almost impossible for it on any important emergence to join in a general or vigorous effort. In the present juncture the sources of discord were as many and as various as had been known on any occasion. The Roman Catholics, animated with zeal in defence of their religion proportional to the fierceness with which it had been attacked, were eager to second any attempt to humble those innovators who had overturned it in many provinces and endangered it in more. John and Albert of Brandenburg, as well as several other princes, incensed at the haughtiness and rigour with which the duke of Brunswick had been treated by the confederates of Smalkalde, were impatient to rescue him and to be revenged on them. Charles observed with satisfaction the working of those passions in their minds, and, counting on them as sure auxiliaries whenever he should think it proper to act, he found it, in the mean time, more necessary to moderate than to inflame their rage.

Such was the situation of affairs, such the discernment with which the emperor foresaw and provided for every event, when the diet of the empire met at Ratisbon. Many of the Roman Catholic members appeared there in person, but most of the confederates of Smalkalde, under pretence of being unable to bear the expense occasioned by the late unnecessary frequency of such assemblies, sent only deputies. Their jealousy of the emperor, together with an apprehension that violence might perhaps be employed in order to force their approbation of what he should propose in the diet, was the true cause of their absence. The speech with which the emperor opened the diet was extremely artful. After professing, in common form, his regard for the prosperity of the Germanic body, and declaring that, in order to bestow his whole attention upon the re-establishment of its order and tranquillity, he had at

[7] Istuanhaffii Hist. Hung., 180.—Mém. de Ribier, tom. i. 582.

present abandoned all other cares, rejected the most pressing solicitations of his other subjects to reside among them, and postponed affairs of the greatest importance, he took notice, with some disapprobation, that his disinterested example had not been imitated, many members of chief consideration having neglected to attend an assembly to which he had repaired with such manifest inconvenience to himself. He then mentioned their unhappy dissensions about religion, lamented the ill success of his past endeavours to compose them, complained of the abrupt dissolution of the late conference, and craved their advice with regard to the best and most effectual method of restoring union to the churches of Germany, together with that happy agreement in articles of faith, which their ancestors had found to be of no less advantage to their civil interest than becoming their Christian profession.

By this gracious and popular method of consulting the members of the diet rather than of obtruding upon them any opinion of his own, besides the appearance of great moderation and the merit of paying much respect to their judgment, the emperor dexterously avoided discovering his own sentiments, and reserved to himself, as his only part, that of carrying into execution what they should recommend. Nor was he less secure of such a decision as he wished to obtain by referring it wholly to themselves. The Roman Catholic members, prompted by their own zeal or prepared by his intrigues, joined immediately in representing that the authority of the council now met at Trent ought to be supreme in all matters of controversy; that all Christians should submit to its decrees as the infallible rule of their faith; and therefore they besought him to exert the power with which he was invested by the Almighty in protecting that assembly and in compelling the Protestants to acquiesce in its determinations. The Protestants, on the other hand, presented a memorial, in which, after repeating their objections to the council of Trent, they proposed, as the only effectual method of deciding the points in dispute, that either a free general council should be assembled in Germany, or a national council of the empire should be called, or a select number of divines should be appointed out of each party to examine and define articles of faith. They mentioned the recesses of several diets favourable to this proposition, and which had afforded them the prospect of terminating all their differences in this amicable manner; they now conjured the emperor not to depart from his former plan, and, by offering violence to their consciences, to bring calamities upon Germany the very thought of which must fill every lover of his country with horror. The emperor, receiving this paper with a contemptuous smile, paid no further regard to it. Having already taken his final resolution, and perceiving that nothing but force could compel them to acquiesce in it, he despatched the cardinal of Trent to Rome, in order to conclude an alliance with the pope, the terms of which were already agreed on; he commanded a body of troops, levied on purpose in the Low Countries, to advance towards Germany; he gave commissions to several officers for raising men in different parts of the empire; he warned John and Albert of Brandenburg that now was the proper time of exerting themselves in order to rescue their ally, Henry of Brunswick, from captivity.[8]

All these things could not be transacted without the observation and knowledge of the Protestants. The secret was now in many hands; under whatever veil the emperor still affected to conceal his designs, his officers kept no such mysterious reserve; and his allies and subjects spoke out his intentions plainly. Alarmed with reports of this kind from every quarter, as well as with the preparations for war which they could not but observe, the deputies

[8] Sleid., 374.—Seck., iii. 658.

of the confederates demanded audience of the emperor, and, in the name of their masters, required to know whether these military preparations were carried on by his command, and for what end, and against what enemy. To a question put in such a tone, and at a time when facts were become too notorious to be denied, it was necessary to give an explicit answer. Charles owned the orders which he had issued, and, professing his purpose not to molest on account of religion those who should act as dutiful subjects, declared that he had nothing in view but to maintain the rights and prerogatives of the imperial dignity, and, by punishing some factious members, to preserve the ancient constitution of the empire from being impaired or dissolved by their irregular and licentious conduct. Though the emperor did not name the persons whom he charged with such high crimes and destined to be the object of his vengeance, it was obvious that he had the elector of Saxony and landgrave of Hesse in view. Their deputies, considering what he had said as a plain declaration of his hostile intentions, immediately retired from Ratisbon.[9]

The cardinal of Trent found it no difficult matter to treat with the pope, who, having at length brought the emperor to adopt that plan which he had long recommended, assented with eagerness to every article that he proposed. The league was signed a few days after the cardinal's arrival at Rome. The pernicious heresies which abounded in Germany, the obstinacy of the Protestants in rejecting the holy council assembled at Trent, and the necessity of maintaining sound doctrine, together with good order, in the Church, are mentioned as the motives of this union between the contracting parties. In order to check the growth of these evils, and to punish such as had impiously contributed to spread them, the emperor, having long and without success made trial of gentler remedies, engaged instantly to take the field with a sufficient army, that he might compel all who disowned the council or had apostatized from the religion of their forefathers to return to the bosom of the Church and submit with due obedience to the holy see. He likewise bound himself not to conclude a peace with them during six months without the pope's consent, nor without assigning him his share in any conquests which should be made upon them, and that even after this period he should not agree to any accomodation which might be detrimental to the Church or to the interest of religion. On his part, the pope stipulated to deposit a large sum in the Bank of Venice towards defraying the expense of the war; to maintain at his own charge, during the space of six months, twelve thousand foot and five hundred horse; to grant the emperor for one year half of the ecclesiastical revenues throughout Spain; to authorize him, by a bull, to alienate as much of the lands belonging to religious houses in that country as would amount to the sum of five hundred thousand crowns; and to employ not only spiritual censures, but military force, against any prince who should attempt to interrupt or defeat the execution of this treaty.[10]

Notwithstanding the explicit terms in which the extirpation of heresy was declared to be the object of the war which was to follow upon this treaty, Charles still endeavoured to persuade the Germans that he had no design to abridge their religious liberty, but that he aimed only at vindicating his own authority and repressing the insolence of such as had encroached upon it. With this view, he wrote circular letters, in the same strain with his answer to the deputies at Ratisbon, to most of the free cities and to several of the princes who had embraced the Protestant doctrines. In these he complained loudly, but in general terms, of the contempt into which the imperial dignity had fallen, and of the presumptuous as well as disorderly behaviour of some

[9] Sleid., 376. [10] Ibid., 381.—Pallav., 255.—Du Mont, Corps Diplom., II.

members of the empire. He declared that he now took arms not in a religious but in a civil quarrel; not to oppress any who continued to behave as quiet and dutiful subjects, but to humble the arrogance of such as had thrown off all sense of that subordination in which they were placed under him as head of the Germanic body. Gross as this deception was, and manifest as it might have appeared to all who considered the emperor's conduct with attention, it became necessary for him to make trial of its effect; and such was the confidence and dexterity with which he employed it that he derived the most solid advantages from this artifice. If he had avowed at once an intention of overturning the Protestant Church and of reducing all Germany under its former state of subjection to the papal see, none of the cities or princes who had embraced the new opinions could have remained neutral after such a declaration, far less could they have ventured to assist the emperor in such an enterprise. Whereas by concealing, and even disclaiming, any intention of that kind, he not only saved himself from the danger of being overwhelmed by a general confederacy of all the Protestant states, but he furnished the timid with an excuse for continuing inactive, and the designing or interested with a pretext for joining him, without exposing themselves to the infamy of abandoning their own principles or taking part openly in suppressing them. At the same time, the emperor well knew that if by their assistance he were enabled to break the power of the elector of Saxony and the landgrave, he might afterwards prescribe what terms he pleased to the feeble remains of a party without union, and destitute of leaders, who would then regret, too late, their mistaken confidence in him and their inconsiderate desertion of their associates.

The pope, by a sudden and unforeseen display of his zeal, had wellnigh disconcerted this plan, which the emperor had formed with so much care and art. Proud of having been the author of such a formidable league against the Lutheran heresy, and happy in thinking that the glory of extirpating it was reserved for his pontificate, he published the articles of his treaty with the emperor, in order to demonstrate the pious intention of their confederacy, as well as to display his own zeal, which prompted him to make such extraordinary efforts for maintaining the faith in its purity. Not satisfied with this, he soon after issued a bull containing most liberal promises of indulgence to all who should engage in this holy enterprise, together with warm exhortations to such as could not bear a part in it themselves to increase the fervour of their prayers and the severity of their mortifications, that they might draw down the blessing of Heaven upon those who undertook it.[11] Nor was it zeal alone which pushed the pope to make declarations so inconsistent with the account which the emperor himself gave of his motives for taking arms. He was much scandalized at Charles's dissimulation in such a cause, at his seeming to be ashamed of owning his zeal for the Church, and at his endeavours to make that pass for a political contest which he ought to have gloried in as a war that had no other object than the defence of religion. With as much solicitude, therefore, as the emperor laboured to disguise the purpose of the confederacy, did the pope endeavour to publish their real plan, in order that they might come at once to an open rupture with the Protestants, that all hopes of reconciliation might be cut off, and that Charles might be under fewer temptations and have it less in his power than at present to betray the interests of the Church by any accommodation beneficial to himself.[12]

The emperor, though not a little offended at the pope's indiscretion or malice in making this discovery, continued boldly to pursue his own plan, and

[11] Du Mont, Corps Diplom.

[12] F. Paul, 188.—Thuan., Hist., i. 61.

to assert his intentions to be no other than what he had originally avowed. Several of the Protestant states whom he had previously gained thought themselves justified in some measure by his declaration for abandoning their associates, and even for giving assistance to him.

But these artifices did not impose on the greater and sounder part of the Protestant confederates. They clearly perceived it to be against the Reformed religion that the emperor had taken arms, and that not only the suppression of it but the extinction of the German liberties would be the certain consequence of his obtaining such an entire superiority as would enable him to execute his schemes in their full extent. They determined, therefore, to prepare for their own defence, and neither to renounce those religious truths to the knowledge of which they had attained by means so wonderful, nor to abandon those civil rights which had been transmitted to them by their ancestors. In order to give the necessary directions for this purpose, their deputies met at Ulm, soon after their abrupt departure from Ratisbon. Their deliberations were now conducted with such vigour and unanimity as the imminent danger which threatened them required. The contingent of troops which each of the confederates was to furnish having been fixed by the original treaty of union, orders were given for bringing them immediately into the field. Being sensible at last that, through the narrow prejudices of some of their members and the imprudent security of others, they had neglected too long to strengthen themselves by foreign alliances, they now applied with great earnestness to the Venetians and Swiss.

To the Venetians they represented the emperor's intention of overturning the present system of Germany and of raising himself to absolute power in that country by means of foreign force furnished by the pope; they warned them how fatal this event would prove to the liberties of Italy, and that by suffering Charles to acquire unlimited authority in the one country they would soon feel his dominion to be no less despotic in the other; they besought them, therefore, not to grant a passage through their territories to those troops which ought to be treated as common enemies, because by subduing Germany they prepared chains for the rest of Europe. These reflections had not escaped the sagacity of those wise republicans. They had communicated their sentiments to the pope, and had endeavoured to divert him from an alliance which tended to render irresistible the power of a potentate whose ambition he already knew to be boundless. But they had found Paul so eager in the prosecution of his own plan that he disregarded all their remonstrances.[13] This attempt to alarm the pope having proved unsuccessful, they declined doing anything more towards preventing the dangers which they foresaw; and in return to the application from the confederates of Smalkalde, they informed them that they could not obstruct the march of the pope's troops through an open country but by levying an army strong enough to face them in the field, and that this would draw upon themselves the whole weight of his as well as of the emperor's indignation. For the same reason, they declined lending a sum of money which the elector of Saxony and landgrave proposed to borrow of them towards carrying on the war.[14]

The demands of the confederates upon the Swiss were not confined to the obstructing of the entrance of foreigners into Germany: they required of them, as the nearest neighbours and closest allies of the empire, to interpose with their wonted vigour for the preservation of its liberties, and not to stand

[13] Adriani, Istoria de' suoi Tempi, lib. v. p. 332.

[14] Sleid., 381.—Paruta, Istor. Venet., tom. iv. 180.—Lambertus Hortensius de Bello Germanico, apud Scardium, vol. ii. p. 547.

as inactive spectators while their brethren were oppressed and enslaved. But, with whatever zeal some of the cantons might have been disposed to act when the cause of the Reformation was in danger, the Helvetic body was so divided with regard to religion as to render it unsafe for the Protestants to take any step without consulting their Catholic associates; and among them the emissaries of the pope and emperor had such influence that a resolution of maintaining an exact neutrality between the contending parties was the utmost that could be procured.[15]

Being disappointed in both these applications, the Protestants, not long after, had recourse to the kings of France and England, the approach of danger either overcoming the elector of Saxony's scruples or obliging him to yield to the importunities of his associates. The situation of the two monarchs flattered them with hopes of success. Though hostilities between them had continued for some time after the peace of Crespy, they became weary at last of a war attended with no glory or advantage to either, and had lately terminated all their differences by a peace concluded at Campe, near Ardres. Francis having with great difficulty procured his allies, the Scots, to be included in the treaty, in return for that concession he engaged to pay a great sum which Henry demanded as due to him on several accounts; and he left Boulogne in the hands of the English as a pledge for his faithful performance of that article. But, though the re-establishment of peace seemed to leave the two monarchs at liberty to turn their attention towards Germany, so unfortunate were the Protestants that they derived no immediate advantage from this circumstance. Henry appeared unwilling to enter into any alliance with them but on such conditions as would render him not only the head but the supreme director of their league,—a pre-eminence which, as the bonds of union or interest between them were but feeble, and as he differed from them so widely in his religious sentiments, they had no inclination to admit.[16] Francis, more powerfully inclined by political considerations to afford them assistance, found his kingdom so much exhausted by a long war, and was so much afraid of irritating the pope by entering into close union with excommunicated heretics, that he durst not undertake the protection of the Smalkaldic league. By this ill-timed caution, or by a superstitious deference to scruples to which at other times he was not much addicted, he lost the most promising opportunity of mortifying and distressing his rival which presented itself during his whole reign.

But, notwithstanding their ill successs in their negotiations with foreign courts, the confederates found no difficulty at home in bringing a sufficient force into the field. Germany abounded at that time in inhabitants; the feudal institutions, which subsisted in full force, enabled the nobles to call out their numerous vassals and to put them in motion on the shortest warning; the martial spirit of the Germans, not broken or enervated by the introduction of commerce and arts, had acquired additional vigour during the continual wars in which they had been employed for half a century, either in the pay of the emperors or the kings of France. Upon every opportunity of entering into service they were accustomed to run eagerly to arms; and to every standard that was erected, volunteers flocked from all quarters.[17] Zeal seconded on this occasion their native ardour. Men on whom the doctrines of the Reformation had made that deep impression which accompanies truth when first discovered prepared to maintain it with proportional vigour; and among a warlike people it appeared infamous to remain inactive when the defence of religion was the motive for taking arms. Accident combined with all these circumstances in facilitating the levy of soldiers among the confederates. A considerable number

[15] Sleid., 392. [16] Rymer, xv. 93.—Herbert, 258. [17] Seck., lib. iii. 161.

of Germans in the pay of France, being dismissed by the king on the prospect of peace with England, joined in a body the standard of the Protestants.[18] By such a concurrence of causes they were enabled to assemble in a few weeks an army composed of seventy thousand foot and fifteen thousand horse, provided with a train of a hundred and twenty cannon, eight hundred ammunition-wagons, eight thousand beasts of burden, and six thousand pioneers.[19] This army, one of the most numerous and undoubtedly the best appointed of any which had been levied in Europe during that century, did not require the united effort of the whole Protestant body to raise it. The elector of Saxony, the landgrave of Hesse, the duke of Wurtemburg, the princes of Anhalt, and the imperial cities of Augsburg, Ulm, and Strasburg, were the only powers which contributed towards this great armament: the electors of Cologne, of Brandenburg, and the count palatine, overawed by the emperor's threats or deceived by his professions, remained neuter. John, marquis of Brandenburg Bareith, and Albert of Brandenburg Anspach, though both early converts to Lutheranism, entered openly into the emperor's service, under pretext of having obtained his promise for the security of the Protestant religion; and Maurice of Saxony soon followed their example.

The number of their troops, as well as the amazing rapidity wherewith they had assembled them, astonished the emperor and filled him with the most disquieting apprehensions. He was, indeed, in no condition to resist such a mighty force. Shut up in Ratisbon, a town of no great strength, whose inhabitants, being mostly Lutherans, would have been more ready to betray than to assist him, with only three thousand Spanish foot, who had served in Hungary, and about five thousand Germans, who had joined him from different parts of the empire, he must have been overwhelmed by the approach of such a formidable army, which he could not fight, nor could he even hope to retreat from it in safety. The pope's troops, though in full march to his relief, had hardly reached the frontiers of Germany; the forces which he expected from the Low Countries had not yet begun to move, and were even far from being complete.[20] His situation, however, called for more immediate succour, nor did it seem practicable for him to wait for such distant auxiliaries, with whom his junction was so precarious.

But it happened fortunately for Charles that the confederates did not avail themselves of the advantage which lay so full in their view. In civil wars the first steps are commonly taken with much timidity and hesitation. Men are solicitous, at that time, to put on the semblance of moderation and equity; they strive to gain partisans by seeming to adhere strictly to known forms; nor can they be brought at once to violate those established institutions which in times of tranquillity they have ever been accustomed to reverence: hence their proceedings are often feeble or dilatory when they ought to be most vigorous and decisive. Influenced by those considerations which, happily for the peace of society, operate powerfully on the human mind, the confederates could not think of throwing off that allegiance which they owed to the head of the empire, or of turning their arms against him, without one solemn appeal more to his candour and to the impartial judgment of their fellow-subjects. For this purpose, they addressed a letter to the emperor and a manifesto to all the inhabitants of Germany. The tenor of both was the same. They represented their own conduct with regard to civil affairs as dutiful and submissive; they mentioned the inviolable union in which they

[18] Thuan., lib. i. 68.
[19] Ib., 601.—Ludovici ab Avila et Zuniga Commentariorum de Bel. Germ. lib. duo., Ant., 1550, 12mo, p. 13, a.
[20] Sleid., 389.—Avila, 8, a.

had lived with the emperor, as well as the many and recent marks of his good will and gratitude wherewithal they had been honoured; they asserted religion to be the sole cause of the violence which the emperor now meditated against them, and, in proof of this, produced many arguments to convince those who were so weak as to be deceived by the artifices with which he endeavoured to cover his real intentions; they declared their own resolution to risk everything in maintenance of their religious rights, and foretold the dissolution of the German constitution if the emperor should finally prevail against them.[21]

Charles, though in such a perilous situation as might have inspired him with moderate sentiments, appeared as inflexible and haughty as if his affairs had been in the most prosperous state. His only reply to the address and manifesto of the Protestants was to publish the ban of the empire against the elector of Saxony and landgrave of Hesse, their leaders, and against all who should dare to assist them. By this sentence, the ultimate and most rigorous one which the German jurisprudence has provided for the punishment of traitors or enemies to their country, they were declared rebels and outlaws, and deprived of every privilege which they enjoyed as members of the Germanic body; their goods were confiscated, their subjects absolved from their oath of allegiance, and it became not only lawful but meritorious to invade their territories. The nobles and free cities who framed or perfected the constitution of the German government had not been so negligent of their own safety and privileges as to trust the emperor with this formidable jurisdiction. The authority of a diet of the empire ought to have been interposed before any of its members could be put under the ban. But Charles overlooked that formality, well knowing that if his arms were crowned with success there would remain none who would have either power or courage to call in question what he had done.[22] The emperor, however, did not found his sentence against the elector and landgrave on their revolt from the established Church or their conduct with regard to religion: he affected to assign for it reasons purely civil, and those, too, expressed in such general and ambiguous terms, without specifying the nature or circumstances of their guilt, as rendered it more like an act of despotic power than of a legal and limited jurisdiction. Nor was it altogether from choice, or to conceal his intentions, that Charles had recourse to the ambiguity of general expressions; but he durst not mention too particularly the causes of his sentence, as every action which he could have charged upon the elector and landgrave as a crime might have been employed with equal justice to condemn many of the Protestants whom he still pretended to consider as faithful subjects, and whom it would have been extremely imprudent to alarm or disgust.

The confederates, now perceiving all hopes of accommodation to be at an end, had only to choose whether they would submit without reserve to the emperor's will or proceed to open hostilities. They were not destitute either of public spirit or of resolution to make a proper choice. A few days after the ban of the empire was published, they, according to the custom of that age, sent a herald to the imperial camp, with a solemn declaration of war against Charles, to whom they no longer gave any other title than that of pretended emperor, and renounced all allegiance, homage, or duty which he might claim, or which they had hitherto yielded to him. But previous to this formality part of their troops had begun to act. The command of a considerable body of men, raised by the city of Augsburg, having been given to Sebastian

[21] Sleid., 384.
[22] Ibid., 386.—Du Mont, Corps Diplom., iv. p. ii. 314.—Pfeffel, Hist. abrégé du Droit publique, 168, 736, 158.

Schertel, a soldier of fortune, who, by the booty that he got when the imperialists plundered Rome, together with the merit of long service, had acquired wealth and authority which placed him on a level with the chief of the German nobles, that gallant veteran resolved, before he joined the main body of the confederates, to attempt something suitable to his former fame and to the expectation of his countrymen. As the pope's forces were hastening towards Tyrol, in order to penetrate into Germany by the narrow passes through the mountains which run across that country, he advanced thither with the utmost rapidity, and seized Ehrenberg and Cuffstein, two strong castles which commanded the principal defiles. Without stopping a moment, he continued his march towards Inspruck, by getting possession of which he would have obliged the Italians to stop short, and with a small body of men could have resisted all the efforts of the greatest armies. Castlealto, the governor of Trent, knowing what a fatal blow this would be to the emperor, all whose designs must have proved abortive if his Italian auxiliaries had been intercepted, raised a few troops with the utmost despatch and threw himself into the town. Schertel, however, did not abandon the enterprise, and was preparing to attack the place, when the intelligence of the approach of the Italians, and an order from the elector and landgrave, obliged him to desist. By his retreat the passes were left open, and the Italians entered Germany without any opposition but from the garrisons which Schertel had placed in Ehrenberg and Cuffstein, and these, having no hopes of being relieved, surrendered after a short resistance.[23]

Nor was the recalling of Schertel the only error of which the confederates were guilty. As the supreme command of their army was committed, in terms of the league of Smalkalde, to the elector of Saxony and landgrave of Hesse, with equal power, all the inconveniences arising from a divided and coordinate authority, which is always of fatal consequence in the operations of war, were immediately felt. The elector, though intrepid in his own person to excess, and most ardently zealous in the cause, was slow in deliberating, uncertain as well as irresolute in his determinations, and constantly preferred measures which were cautious and safe to such as were bold or decisive. The landgrave, of a more active and enterprising nature, formed all his resolutions with promptitude, wished to execute them with spirit, and uniformly preferred such measures as tended to bring the contest to a speedy issue. Thus their maxims with regard to the conduct of the war differed as widely as those by which they were influenced in preparing for it. Such perpetual contrariety in their sentiments gave rise, imperceptibly, to jealousy and the spirit of contention. These multiplied the dissensions flowing from the incompatibility of their natural tempers, and rendered them more violent. The other members of the league, considering themselves as independent, and subject to the elector and landgrave only in consequence of the articles of a voluntary confederacy, did not long retain a proper veneration for commanders who proceeded with so little concord; and the numerous army of the Protestants, like

[23] Seckend., lib. ii. 70.—Adriani, Istoria de' suoi Tempi, lib. v. 335.—Seckendorf, the industrious author of the Commentarius Apologeticus de Lutheranismo, whom I have so long and safely followed as my guide in German affairs, was a descendant from Schertel. With the care and solicitude of a German who was himself of noble birth, Seckendorf has published a long digression concerning his ancestor, calculated chiefly to show how Schertel was ennobled and his posterity allied to many of the most ancient families in the empire. Among other curious particulars, he gives us an account of his wealth, the chief source of which was the plunder he got at Rome. His landed estate alone was sold by his grandsons for six hundred thousand florins. By this we may form some idea of the riches amassed by the *condottieri*, or commanders of mercenary bands, in that age. At the taking of Rome Schertel was only a captain. Seckend., lib. ii. 73.

a vast machine whose parts are ill compacted and which is destitute of any power sufficient to move and regulate the whole, acted with no consistency, vigour, or effect.

The emperor, who was afraid that by remaining at Ratisbon he might render it impossible for the pope's forces to join him, having boldly advanced to Landshut on the Iser, the confederates lost some days in deliberating whether it was proper to follow him into the territories of the duke of Bavaria, a neutral prince. When at last they surmounted that scruple and began to move towards his camp, they suddenly abandoned the design, and hastened to attack Ratisbon, in which town Charles could leave only a small garrison. By this time the papal troops, amounting fully to that number which Paul had stipulated to furnish, had reached Landshut, and were soon followed by six thousand Spaniards of the veteran bands stationed in Naples. The confederates, after Schertel's spirited but fruitless expedition, seem to have permitted these forces to advance unmolested to the place of rendezvous, without any attempt to attack either them or the emperor separately, or to prevent their junction.[24] The imperial army amounted now to thirty-six thousand men, and was still more formidable by the discipline and valour of the troops than by their number. Avila, commendador of Alcántara, who had been present in all the wars carried on by Charles, and had served in the armies which gained the memorable victory at Pavia, which conquered Tunis, and invaded France, gives this the preference to any military force he had ever seen assembled.[25] Octavio Farnese, the pope's grandson, assisted by the ablest officers formed in the long wars between Charles and Francis, commanded the Italian auxiliaries. His brother, the Cardinal Farnese, accompanied him as papal legate; and, in order to give the war the appearance of a religious enterprise, he proposed to march at the head of the army, with a cross carried before him, and to publish indulgences wherever he came to all who should give them any assistance, as had anciently been the practice in the crusades against the infidels. But this the emperor strictly prohibited, as inconsistent with all the declarations which he had made to the Germans of his own party; and the legate, perceiving, to his astonishment, that the exercise of the Protestant religion, the extirpation of which he considered as the sole object of the war, was publicly permitted in the imperial camp, soon returned in disgust to Italy.[26]

The arrival of these troops enabled the emperor to send such a reinforcement to the garrison at Ratisbon that the confederates, relinquishing all hopes of reducing that town, marched towards Ingoldstadt on the Danube, near to which Charles was now encamped. They exclaimed loudly against the emperor's notorious violation of the laws and constitution of the empire in having called in foreigners to lay waste Germany and to oppress its liberties. As in that age the dominion of the Roman see was so odious to the Protestants that the name of the pope alone was sufficient to inspire them with horror at any enterprise which he countenanced, and to raise in their minds the blackest suspicions, it came to be universally believed among them that Paul, not satisfied with attacking them openly by force of arms, had dispersed his emissaries all over Germany, to set on fire their towns and magazines and to poison their wells and fountains of water. Nor did this rumour, which was extravagant and frightful enough to make a deep impression on the credulity of the vulgar, spread among them only: even the leaders of the party, blinded by their prejudices, published a declaration, in which they accused the pope of having

[24] Adriani, Istoria de' suoi Tempi, lib. v. 340.

[25] Avila, 18.

[26] F. Paul, 191.

employed such antichristian and diabolical arts against them.[27] These sentiments of the confederates were confirmed, in some measure, by the behaviour of the papal troops, who, thinking nothing too rigorous towards heretics anathematized by the Church, were guilty of great excesses in the territories of the Lutheran states, and aggravated the calamities of war by mingling with it all the cruelty of bigoted zeal.

The first operations in the field, however, did not correspond with the violence of those passions which animated individuals. The emperor had prudently taken the resolution of avoiding an action with an enemy so far superior in number,[28] especially as he foresaw that nothing could keep a body composed of so many and such dissimilar members from falling to pieces, but the pressing to attack it with an inconsiderate precipitancy. The confederates, though it was no less evident that to them every moment's delay was pernicious, were still prevented, by the weakness or division of their leaders, from exerting that vigour with which their situation, as well as the ardour of their soldiers, ought to have inspired them. On their arrival at Ingoldstadt they found the emperor in a camp not remarkable for strength, and surrounded only by a slight intrenchment. Before the camp lay a plain of such extent as afforded sufficient space for drawing out their whole army and bringing it to act at once. Every consideration should have determined them to have seized this opportunity of attacking the emperor; and their great superiority in numbers, the eagerness of their troops, together with the stability of the German infantry in pitched battles, afforded them the most probable expectation of victory. The landgrave urged this with great warmth, declaring that if the sole command were vested in him he would terminate the war on that occasion, and decide by one general action the fate of the two parties. But the elector, reflecting on the valour and discipline of the enemy's forces, animated by the presence of the emperor and conducted by the best officers of the age, would not venture upon an action which he thought to be so doubtful as the attacking such a body of veterans on ground which they themselves had chosen, and while covered with fortifications which, though imperfect, would afford them no small advantage in the combat. Notwithstanding his hesitation and remonstrances, it was agreed to advance towards the enemy's camp in battle-array, in order to make a trial whether by that insult, and by a furious cannonade which they began, they could draw the imperialists out of their works. But the emperor had too much sagacity to fall into this snare: he adhered to his own system with inflexible constancy, and, drawing up his soldiers behind their trenches, that they might be ready to receive the confederates if they should venture upon an assault, calmly waited their approach, and carefully restrained his own men from any excursions or skirmishes which might bring on a general engagement. He rode along the lines, and, addressing the troops of the different nations in their own language, encouraged them not only by his words, but by the cheerfulness of his voice and countenance; he exposed himself in places of greatest danger and amidst the warmest fire of the enemy's artillery, the most numerous that had hitherto been brought into the field by any army. Roused by his example, not a man quitted his ranks; it was thought infamous to discover any symptom of fear when the emperor appeared so intrepid; and the meanest soldier plainly perceived that their declining the combat at present was not the effect of timidity in their general, but the result of a well-grounded caution. The confederates, after firing several hours on the imperialists, with more noise and terror than execution, seeing no prospect of alluring them to fight on equal terms, retired to their

[27] Sleid., 399. [28] Avila, 78, a.

own camp. The emperor employed the night with such diligence in strengthening his works that the confederates, returning to the cannonade next day, found that, though they had now been willing to venture upon such a bold experiment, the opportunity of making an attack with advantage was lost.[29]

After such a discovery of the feebleness or irresolution of their leaders, and the prudence as well as firmness of the emperor's conduct, the confederates turned their whole attention towards preventing the arrival of a powerful reinforcement of ten thousand foot and four thousand horse, which the Count de Buren was bringing to the emperor from the Low Countries. But though that general had to traverse such an extent of country, though his route lay through the territories of several states warmly disposed to favour the confederates, though they were apprised of his approach, and, by their superiority in numbers, might easily have detached a force sufficient to overpower him, he advanced with such rapidity and by such well-concerted movements, while they opposed him with such remissness and so little military skill, that he conducted this body to the imperial camp without any loss.[30]

Upon the arrival of the Flemings, in whom he placed great confidence, the emperor altered in some degree his plan of operations, and began to act more upon the offensive, though he still avoided a battle, with the utmost industry. He made himself master of Neuburg, Dillingen, and Donawert on the Danube; of Nordlingen, and several other towns situated on the most considerable streams which fall into that mighty river. By this he got the command of a great extent of country, though not without being obliged to engage in several sharp encounters, of which the success was various, not without being exposed oftener than once to the danger of being drawn into a battle. In this manner the whole autumn was spent; neither party gained any remarkable superiority over the other, and nothing was yet done towards bringing the war to a period. The emperor had often foretold with confidence that discord and the want of money would compel the confederates to disperse that unwieldy body, which they had neither abilities to guide nor funds to support.[31] Though he waited with impatience for the accomplishment of his predictions, there was no prospect of that event being at hand. But he himself began to suffer from the want of forage and provisions; even the Catholic provinces being so much incensed at the introduction of foreigners into the empire that they furnished them with reluctance, while the camp of the confederates abounded with a profusion of all necessaries, which the zeal of their friends in the adjacent countries poured in with the utmost liberality and good will. Great numbers of the Italians and Spaniards, unaccustomed to the climate or food of Germany, were become unfit for service through sickness.[32] Considerable arrears were now due to the troops, who had scarcely received any money from the beginning of the campaign; the emperor experiencing on this as well as on former occasions that his jurisdiction was more extensive than his revenues, and that the former enabled him to assemble a greater number of soldiers than the latter were sufficient to support. Upon all these accounts, he found it difficult to keep his army in the field; some of his ablest generals, and even the duke of Alva himself, persevering and obstinate as he usually was in the prosecution of every measure, advising him to disperse his troops into winter quarters. But, as the arguments urged against any plan which he had adopted rarely made much impression upon the emperor, he paid no regard to their opinion,

[29] Sleid., 395, 397. — Avila, 27, a.—Lamb Hortens., ap. Scard., ii.

[30] Sleid., 403.

[31] Belli Smalkaldici Commentarius Græco sermone scriptus a Joach. Camerario, ap. Freherum, vol. iii. p. 479.

[32] Camerar., ap. Freher., 483.

and determined to continue his efforts, in order to weary out the confederates, being well assured that if he could once oblige them to separate there was little probability of their uniting again in a body.[33] Still, however, it remained a doubtful point whether his steadiness was most likely to fail or their zeal to be exhausted. It was still uncertain which party, by first dividing its forces, would give the superiority to the other, when an unexpected event decided the contest and occasioned a fatal reverse in the affairs of the confederates.

Maurice of Saxony, having insinuated himself into the emperor's confidence by the arts which have already been described, no sooner saw hostilities ready to break out between the confederates of Smalkalde and that monarch than vast prospects of ambition began to open upon him. That portion of Saxony which descended to him from his ancestors was far from satisfying his aspiring mind; and he perceived with pleasure the approach of civil war, as, amidst the revolutions and convulsions occasioned by it, opportunities of acquiring additional power or dignity, which at other times are sought in vain, present themselves to an enterprising spirit. As he was thoroughly acquainted with the state of the two contending parties and the qualities of their leaders, he did not hesitate long in determining on which side the greatest advantages were to be expected. Having revolved all these things in his own breast, and having taken his final resolution of joining the emperor, he prudently determined to declare early in his favour, that by the merit of this he might acquire a title to a proportional recompense. With this view, he had repaired to Ratisbon in the month of May, under pretext of attending the diet; and, after many conferences with Charles or his ministers, he, with the most mysterious secrecy, concluded a treaty, in which he engaged to concur in assisting the emperor as a faithful subject, and Charles, in return, stipulated to bestow on him all the spoils of the elector of Saxony, his dignities as well as territories.[34] History hardly records any treaty that can be considered as a more manifest violation of the most powerful principles which ought to influence human actions. Maurice, a professed Protestant, at a time when the belief of religion, as well as zeal for its interests, took strong possession of every mind, binds himself to contribute his assistance towards carrying on a war which had manifestly no other object than the extirpation of the Protestant doctrines. He engages to take arms against his father-in-law, and to strip his nearest relation of his honours and dominions. He joins a dubious friend against a known benefactor, to whom his obligations were both great and recent. Nor was the prince who ventured upon all this one of those audacious politicians who, provided they can accomplish their ends and secure their interest, avowedly disregard the most sacred obligations and glory in contemning whatever is honourable or decent. Maurice's conduct, if the whole must be ascribed to policy, was more artful and masterly; he executed his plan in all its parts, and yet endeavoured to preserve, in every step which he took, the appearance of what was fair and virtuous and laudable. It is probable, from his subsequent behaviour, that, with regard to the Protestant religion at least, his intentions were upright; that he fondly trusted to the emperor's promises for its security; but that, according to the fate of all who refine too much in policy and who tread in dark and crooked paths, in attempting to deceive others he himself was in some degree deceived.

His first care, however, was to keep the engagements into which he had entered with the emperor closely concealed; and so perfect a master was he in the art of dissimulation that the confederates, notwithstanding his declining all connections with them and his remarkable assiduity in paying court to the

[33] Thuan., 83. [34] Haræi Annal. Brabant, vol. i. 638.—Struvii Corp., 1048.—Thuan., 84.

emperor, seemed to have entertained no suspicion of his designs. Even the elector of Saxony, when he marched at the beginning of the campaign to join his associates, committed his dominions to Maurice's protection, which he, with an insidious appearance of friendship, readily undertook.[35] But scarcely had the elector taken the field when Maurice began to consult privately with the king of the Romans how to invade those very territories with the defence of which he was intrusted. Soon after, the emperor sent him a copy of the imperial ban denounced against the elector and landgrave. As he was next heir to the former, and particularly interested in preventing strangers from getting his dominions into their possession, Charles required him, not only for his own sake, but upon the allegiance and duty which he owed to the head of the empire, instantly to seize and detain in his hands the forfeited estates of the elector, warning him at the same time that if he neglected to obey these commands he should be held as accessory to the crimes of his kinsman and be liable to the same punishment.[36]

This artifice, which it is probable Maurice himself suggested, was employed by him in order that his conduct towards the elector might seem a matter of necessity but not of choice, an act of obedience to his superior rather than a voluntary invasion of the rights of his kinsman and ally. But, in order to give some more specious appearance to this thin veil with which he endeavoured to cover his ambition, he, soon after his return from Ratisbon, had called together the states of his country, and, representing to them that a civil war between the emperor and confederates of Smalkalde was now become unavoidable, desired their advice with regard to the part which he should act in that event. They, having been prepared, no doubt, and tutored beforehand, and being desirous of gratifying their prince, whom they esteemed as well as loved, gave such counsel as they knew would be most agreeable, advising him to offer his mediation towards reconciling the contending parties, but if that were rejected, and he could obtain proper security for the Protestant religion, they delivered it as their opinion that in all other points he ought to yield obedience to the emperor. Upon receiving the imperial rescript, together with the ban against the elector and landgrave, Maurice summoned the states of his country a second time; he laid before them the orders which he had received, and mentioned the punishment with which he was threatened in case of disobedience; he acquainted them that the confederates had refused to admit of his mediation, and that the emperor had given him the most satisfactory declarations with regard to religion; he pointed out his own interest in securing possession of the electoral dominions, as well as the danger of allowing strangers to obtain an establishment in Saxony; and upon the whole, as the point under deliberation respected his subjects no less than himself, he desired to know their sentiments, how he should steer in that difficult and arduous conjuncture. The states, no less obsequious and complaisant than formerly, professing their own reliance on the emperor's promises as a perfect security for their religion, proposed that before he had recourse to more violent methods they would write to the elector, exhorting him, as the best means not only of appeasing the emperor but of preventing his dominions from being seized by foreign or hostile powers, to give his consent that Maurice should take possession of them quietly and without opposition. Maurice himself seconded their arguments in a letter to the landgrave, his father-in-law. Such an extravagant proposition was rejected with the scorn and indignation which it deserved. The landgrave, in return to Maurice, taxed him with his treachery and ingratitude towards a kinsman to whom he was so deeply indebted; he

[35] Struvii Corp., 1046. [36] Sleid., 391.—Thuan., 84.

treated with contempt his affectation of executing the imperial ban, which he could not but know to be altogether void by the unconstitutional and arbitrary manner in which it had been issued; he besought him not to suffer himself to be so far blinded by ambition as to forget the obligations of honour and friendship, or to betray the Protestant religion, the extirpation of which out of Germany, even by the acknowledgment of the pope himself, was the great object of the present war.[37]

But Maurice had proceeded too far to be diverted from pursuing his plan by reproaches or arguments. Nothing now remained but to execute with vigour what he had hitherto carried on by artifice and dissimulation. Nor was his boldness in action inferior to his subtlety in contrivance. Having assembled about twelve thousand men, he suddenly invaded one part of the electoral provinces, while Ferdinand, with an army composed of Bohemians and Hungarians, overran the other. Maurice, in two sharp encounters, defeated the troops which the elector had left to guard his country, and, improving these advantages to the utmost, made himself master of all the electorate, except Wittemberg, Gotha, and Eisenach, which, being places of considerable strength and defended by sufficient garrisons, refused to open their gates. The news of these rapid conquests soon reached the imperial and confederate camps. In the former, their satisfaction with an event which it was foreseen would be productive of the most important consequences was expressed by every possible demonstration of joy; the latter was filled with astonishment and terror. The name of Maurice was mentioned with execration, as an apostate from religion, a betrayer of the German liberty, and a contemner of the most sacred and natural ties. Everything that the rage or invention of the party could suggest in order to blacken and render him odious—invectives, satires, and lampoons, the furious declamations of their preachers, together with the rude wit of their authors—were all employed against him; while he, confiding in the arts which he had so long practised, as if his actions could have admitted of any serious justification, published a manifesto containing the same frivolous reasons for his conduct which he had formerly alleged in the meeting of his states and in his letter to the landgrave.[38]

The elector, upon the first intelligence of Maurice's motions, proposed to return home with his troops for the defence of Saxony. But the deputies of the league, assembled at Ulm, prevailed on him at that time to remain with the army, and to prefer the success of the common cause before the security of his own dominions. At length the sufferings and complaints of his subjects increased so much that he discovered the utmost impatience to set out, in order to rescue them from the oppression of Maurice and from the cruelty of the Hungarians, who, having been accustomed to that licentious and merciless species of war which was thought lawful against the Turks, committed, wherever they came, the wildest acts of rapine and violence. This desire of the elector was so natural and so warmly urged that the deputies at Ulm, though fully sensible of the unhappy consequences of dividing their army, durst not refuse their consent, how unwilling soever to grant it. In this perplexity, they repaired to the camp of the confederates at Giengen, on the Brenz, in order to consult their constituents. Nor were they less at a loss what to determine in this pressing emergence. But, after having considered seriously the open desertion of some of their allies, the scandalous lukewarmness of others, who had hitherto contributed nothing towards the war, the intolerable load which had fallen of consequence upon such members as were most zealous for the cause or most faithful to their engagements, the ill

[37] Sleid., 405, etc.—Thuan., 85.—Camerar., 484. [38] Sleid., 409, 410.

success of all their endeavours to obtain foreign aid, the unusual length of the campaign, the rigour of the season, together with the great number of soldiers, and even officers, who had quitted the service on that account, they concluded that nothing could save them but either the bringing the contest to the immediate decision of a battle by attacking the imperial army, or an accommodation of all their differences with Charles by a treaty. Such was the despondency and dejection which now oppressed the party that of these two they chose what was most feeble and unmanly, empowering a minister of the elector of Brandenburg to propound overtures of peace in their name to the emperor.

No sooner did Charles perceive this haughty confederacy, which had so lately threatened to drive him out of Germany, condescending to make the first advances towards an agreement, than, concluding their spirit to be gone or their union to be broken, he immediately assumed the tone of a conqueror, and, as if they had been already at his mercy, would not hear of a negotiation but upon condition that the elector of Saxony should previously give up himself and his dominions absolutely to his disposal.[39] As nothing more intolerable or ignominious could have been prescribed, even in the worst situation of their affairs, it is no wonder that this proposition should be rejected by a party which was rather humbled and disconcerted than subdued. But, though they refused to submit tamely to the emperor's will, they wanted spirit to pursue the only plan which could have preserved their independence; and, forgetting that it was the union of their troops in one body which had hitherto rendered the confederacy formidable and had more than once obliged the imperialists to think of quitting the field, they inconsiderately abandoned this advantage, —which, in spite of the diversion in Saxony, would still have kept the emperor in awe,—and, yielding to the elector's entreaties, consented to his proposal of dividing the army. Nine thousand men were left in the duchy of Wurtemberg, in order to protect that province as well as the free cities of Upper Germany; a considerable body marched with the elector towards Saxony; but the greater part returned with their respective leaders into their own countries and were dispersed there.[40]

The moment that the troops separated, the confederacy ceased to be the object of terror; and the members of it, who while they composed part of a great body had felt but little anxiety about their own security, began to tremble when they reflected that they now stood exposed singly to the whole weight of the emperor's vengeance. Charles did not allow them leisure to recover from their consternation or to form any new schemes of union. As soon as the confederates began to retire, he put his army in motion, and, though it was now the depth of winter, he resolved to keep the field, in order to make the most of that favourable juncture for which he had waited so long. Some small towns in which the Protestants had left garrisons immediately opened their gates. Nordlingen, Rotenberg, and Hall, imperial cities, submitted soon after. Though Charles could not prevent the elector from levying, as he retreated, large contributions upon the archbishop of Mentz, the abbot of Fulda, and other ecclesiastics,[41] this was more than balanced by the submission of Ulm, one of the chief cities of Suabia, highly distinguished by its zeal for the Smalkaldic league. As soon as an example was set of deserting the common cause, the rest of the members became instantly impatient to follow it, and seemed afraid lest others, by getting the start of them in returning to their duty, should on that account obtain more favourable terms. The elector palatine, a weak prince, who, notwithstanding his professions of neutrality,

[39] Hortcn ius, ap. Scard., ii. 485. [40] Sleid., 411. [41] Thuan., 88.

had, very preposterously, sent to the confederates four hundred horse, a body so inconsiderable as to be scarcely any addition to their strength, but great enough to render him guilty in the eyes of the emperor, made his acknowledgments in the most abject manner. The inhabitants of Augsburg, shaken by so many instances of apostasy, expelled the brave Schertel out of their city, and accepted such conditions as the emperor was pleased to grant them.

The duke of Wurtemberg, though among the first that had offered to submit, was obliged to sue for pardon on his knees, and, even after this mortifying humiliation, obtained it with difficulty.[42] Memmingen, and other free cities in the circle of Suabia, being now abandoned by all their former associates, found it necessary to provide for their own safety by throwing themselves on the emperor's mercy. Strasburg and Frankfort-on-the-Main, cities far removed from the seat of danger, discovered no greater steadiness than those which lay more exposed. Thus a confederacy lately so powerful as to shake the imperial throne fell to pieces and was dissolved in the space of a few weeks, hardly any member of that formidable combination now remaining in arms but the elector and landgrave, to whom the emperor, having from the beginning marked them out as victims of his vengeance, was at no pains to offer terms of reconciliation. Nor did he grant those who submitted to him a generous and unconditional pardon. Conscious of his own superiority, he treated them both with haughtiness and rigour. All the princes in person, and the cities by their deputies, were compelled to implore mercy in the humble posture of supplicants. As the emperor laboured under great difficulties from the want of money, he imposed heavy fines upon them, which he levied with most rapacious exactness. The duke of Wurtemberg paid three hundred thousand crowns, the city of Augsburg a hundred and fifty thousand, Ulm a hundred thousand, Frankfort eighty thousand, Memmingen fifty thousand, and the rest in proportion to their abilities or their different degrees of guilt. They were obliged, besides, to renounce the league of Smalkalde, to furnish assistance, if required, towards executing the imperial ban against the elector and landgrave, to give up their artillery and warlike stores to the emperor, to admit garrisons into their principal cities and places of strength, and in this disarmed and dependent situation to expect the final award which the emperor should think proper to pronounce when the war came to an issue.[43] But, amidst the great variety of articles dictated by Charles on this occasion, he, in conformity to his original plan, took care that nothing relating to religion should be inserted; and to such a degree were the confederates humbled or overawed that, forgetting the zeal which had so long animated them, they were solicitous only about their own safety, without venturing to insist on a point the mention of which they saw the emperor avoiding with so much industry. The inhabitants of Memmingen alone made some feeble efforts to procure a promise of protection in the exercise of their religion, but were checked so severely by the imperial ministers that they instantly fell from their demand.

The elector of Cologne, whom, notwithstanding the sentence of excommunication issued against him by the pope, Charles had hitherto allowed to remain in possession of the archiepiscopal see, being now required by the emperor to submit to the censures of the Church, this virtuous and disinterested prelate, unwilling to expose his subjects to the miseries of war on his own account, voluntarily resigned that high dignity. With a moderation becoming his age and character, he chose to enjoy truth, together with the exercise of his

[42] Mém. de Ribier, tom. i. 589. —Mém. de Ribier, tom. i. 606.
[43] Sleid., 411, etc.—Thuan., lib. iv. p. 125.

religion, in the retirement of a private life, rather than to disturb society by engaging in a doubtful and violent struggle in order to retain his office.[44]

During these transactions, the elector of Saxony reached the frontiers of his country unmolested. As Maurice could assemble no force equal to the army which accompanied him, he in a short time not only recovered possession of his own territories, but overran Misnia, and stripped his rival of all that belonged to him, except Dresden and Leipsic, which, being towns of some strength, could not be suddenly reduced. Maurice, obliged to quit the field and to shut himself up in his capital, despatched courier after courier to the emperor representing his dangerous situation, and soliciting him, with the most earnest importunity, to march immediately to his relief. But Charles, busy at that time in prescribing terms to such members of the league as were daily returning to their allegiance, thought it sufficient to detach Albert, marquis of Brandenburg Anspach, with three thousand men, to his assistance. Albert, though an enterprising and active officer, was unexpectedly surprised by the elector, who killed many of his troops, dispersed the remainder, and took him prisoner.[45] Maurice continued as much exposed as formerly; and, if his enemy had known how to improve the opportunity which presented itself, his ruin must have been immediate and unavoidable. But the elector, no less slow and dilatory when invested with the sole command than he had been formerly when joined in authority with a partner, never gave any proof of military activity but in this enterprise against Albert. Instead of marching directly towards Maurice, whom the defeat of his ally had greatly alarmed, he inconsiderately listened to overtures of accommodation, which his artful antagonist proposed with no other intention than to amuse him and to slacken the vigour of his operations.

Such, indeed, was the posture of the emperor's affairs that he could not march instantly to the relief of his ally. Soon after the separation of the confederate army, he, in order to ease himself of the burden of maintaining a superfluous number of troops, had dismissed the count of Buren with his Flemings,[46] imagining that the Spaniards and Germans, together with the papal forces, would be fully sufficient to crush any degree of vigour that yet remained among the members of the league. But Paul, growing wise too late, began now to discern the imprudence of that measure, from which the more sagacious Venetians had endeavoured in vain to dissuade him. The rapid progress of the imperial arms, and the ease with which they had broken a combination that appeared no less firm than powerful, opened his eyes at length, and made him not only forget all the advantages which he had expected from such a complete triumph over heresy, but placed in the strongest light his own impolitic conduct in having contributed towards acquiring for Charles such an immense increase of power as would enable him, after oppressing the liberties of Germany, to give law with absolute authority to all the states of Italy. The moment that he perceived his error, he endeavoured to correct it. Without giving the emperor any warning of his intention, he ordered Farnese, his grandson, to return instantly to Italy with all the troops under his command, and at the same time recalled the license which he had granted Charles of appropriating to his own use a large share of the church lands in Spain. He was not destitute of pretences to justify this abrupt desertion of his ally. The term of six months during which the stipulations in their treaty were to continue in force was now expired; the

[44] Sleid., 418.—Thuan., lib. iv. 128.
[45] Avila, 99, 6.—Mém. de Ribier, tom. i. 620.
[46] Avila, 83, 6.—Mém. de Ribier, tom. i. 592.

league in opposition to which their alliance had been framed seemed to be entirely dissipated ; Charles, in all his negotiations with the princes and cities which had submitted to his will, had neither consulted the pope, nor had allotted him any part of the conquests which he had made, nor had allowed him any share in the vast contributions which he had raised. He had not even made any provision for the suppression of heresy or the re-establishment of the Catholic religion, which were Paul's chief inducements to bestow the treasures of the Church so liberally in carrying on the war. These colours, however specious, did not conceal from the emperor that secret jealousy which was the true motive of the pope's conduct. But, as Paul's orders with regard to the march of his troops were no less peremptory than unexpected, it was impossible to prevent their retreat. Charles exclaimed loudly against his treachery in abandoning him so unseasonably while he was prosecuting a war undertaken in obedience to the papal injunctions, and from which, if successful, so much honour and advantage would redound to the Church. To complaints he added threats and expostulations. But Paul remained inflexible ; his troops continued their march towards the ecclesiastical state ; and in an elaborate memorial, intended as an apology for his conduct, he discovered new and more manifest symptoms of alienation from the emperor, together with a deep-rooted dread of his power.[47] Charles, weakened by the withdrawing of so great a body from his army, which was already much diminished by the number of garrisons that he had been obliged to throw into the towns which had capitulated, found it necessary to recruit his forces by new levies before he could venture to march in person towards Saxony.

The fame and splendour of his success could not have failed of attracting such multitudes of soldiers into his service from all the extensive territories now subject to his authority as must have soon put him in a condition of taking the field against the elector ; but the sudden and violent eruption of a conspiracy at Genoa, as well as the great revolutions which that event, extremely mysterious in its first appearances, seemed to portend, obliged him to avoid entangling himself in new operations in Germany until he had fully discovered its source and tendency. The form of government which had been established in Genoa at the time when Andrew Doria restored liberty to his country, though calculated to obliterate the memory of former dissensions, and received at first with eager approbation, did not, after a trial of near twenty years, give universal satisfaction to those turbulent and factious republicans. As the entire administration of affairs was now lodged in a certain number of noble families, many, envying them that pre-eminence, wished for the restitution of a popular government, to which they had been accustomed ; and, though all reverenced the disinterested virtue of Doria and admired his talents, not a few were jealous of that ascendant which he had acquired in the councils of the commonwealth. His age, however, his moderation, and his love of liberty, afforded ample security to his countrymen that he would not abuse his power, nor stain the close of his days by attempting to overturn that fabric which it had been the labour and pride of his life to erect. But the authority and influence which in his hands were innocent, they easily saw would prove destructive if usurped by any citizens of greater ambition or less virtue. A citizen of this dangerous character had actually formed such pretensions, and with some prospect of success. Giannetino Doria, whom his grand-uncle Andrew destined to be the heir of his private fortune, aimed likewise at being his successor in power. His temper, haughty, insolent, and overbearing to such a degree as would hardly have been tolerated in one born to reign, was

[47] F. Paul, 208.—Pallavic., par. ii. p. 5.—Thuan., 126.

altogether insupportable in the citizen of a free state. The more sagacious among the Genoese already feared and hated him as the enemy of those liberties for which they were indebted to his uncle; while Andrew himself, blinded by that violent and undiscerning affection which persons in advanced age often contract for the younger members of their family, set no bounds to the indulgence with which he treated him,—seeming less solicitous to secure and perpetuate the freedom of the commonwealth than to aggrandize that undeserving kinsman.

But whatever suspicion of Doria's designs, or whatever dissatisfaction with the system of administration in the commonwealth, these circumstances might have occasioned, they would have ended, it is probable, in nothing more than murmurings and complaints, if John Lewis Fiesco, count of Lavagna, observing this growing disgust, had not been encouraged by it to attempt one of the boldest actions recorded in history. That young nobleman, the richest and most illustrious subject in the republic, possessed in an eminent degree all the qualities which win upon the human heart, which command respect or secure attachment. He was graceful and majestic in his person, magnificent even to profusion, of a generosity that anticipated the wishes of his friends and exceeded the expectations of strangers, of an insinuating address, gentle manners, and a flowing affability. But under the appearance of these virtues, which seemed to form him for enjoying and adorning social life, he concealed all the dispositions which mark men out for taking the lead in the most dangerous and dark conspiracies,—an insatiable and restless ambition, a courage unacquainted with fear, and a mind that disdained subordination. Such a temper could ill brook that station of inferiority wherein he was placed in the republic; and, as he envied the power which the elder Doria had acquired, he was filled with indignation at the thoughts of its descending, like an hereditary possession, to Giannetino. These various passions, preying with violence on his turbulent and aspiring mind, determined him to attempt overturning that domination to which he could not submit.

As the most effectual method of accomplishing this, he thought at first of forming a connection with Francis, and even proposed it to the French ambassador at Rome; and after expelling Doria, together with the imperial faction, by his assistance, he offered to put the republic once more under the protection of that monarch, hoping in return for that service to be intrusted with the principal share in the administration of government. But having communicated his scheme to a few chosen confidants, from whom he kept nothing secret, Verrina, the chief of them, a man of desperate fortune, capable alike of advising and executing the most audacious deeds, remonstrated with earnestness against the folly of exposing himself to the most imminent danger while he allowed another to reap all the fruits of his success, and exhorted him warmly to aim himself at that pre-eminence in his country to which he was destined by his illustrious birth, was called by the voice of his fellow-citizens, and would be raised by the zeal of his friends. This discourse opened such great prospects to Fiesco, and so suitable to his genius, that, abandoning his own plan, he eagerly adopted that of Verrina. The other persons present, though sensible of the hazardous nature of the undertaking, did not choose to condemn what their patron had so warmly approved. It was instantly resolved, in this dark cabal, to assassinate the two Dorias, as well as the principal persons of their party, to overturn the established system of government, and to place Fiesco on the ducal throne of Genoa. Time, however, and preparations, were requisite to ripen such a design for execution; and, while he was employed in carrying on these, Fiesco made his chief care to guard against

everything that might betray his secret or create suspicion. The disguise he assumed was, of all others, the most impenetrable. He seemed to be abandoned entirely to pleasure and dissipation. A perpetual gayety, diversified by the pursuits of all the amusements in which persons of his age and rank are apt to delight, engrossed, in appearance, the whole of his time and thoughts. But amidst this hurry of dissipation he prosecuted his plan with the most cool attention, neither retarding the design by a timid hesitation nor precipitating the execution by an excess of impatience. He continued his correspondence with the French ambassador at Rome, though without communicating to him his real intentions, that by his means he might secure the protection of the French arms if hereafter he should find it necessary to call them to his aid. He entered into a close confederacy with Farnese, duke of Parma, who, being disgusted with the emperor for refusing to grant him the investiture of that duchy, was eager to promote any measure that tended to diminish his influence in Italy or to ruin a family so implicitly devoted to him as that of Doria. Being sensible that in a maritime state the acquisition of naval power was what he ought chiefly to aim at, he purchased four galleys from the pope, who probably was not unacquainted with the design which he had formed, and did not disapprove of it. Under colour of fitting out one of these galleys to sail on a cruise against the Turks, he not only assembled a good number of his own vassals, but engaged in his service many bold adventurers whom the truce between the emperor and Solyman had deprived of their usual occupation and subsistence.

While Fiesco was taking these important steps, he preserved so admirably his usual appearance of being devoted entirely to pleasure and amusement, and paid court with such artful address to the two Dorias, as imposed not only on the generous and unsuspicious mind of Andrew, but deceived Giannetino, who, conscious of his own criminal intentions, was more apt to distrust the designs of others. So many instruments being now prepared, nothing remained but to strike the blow. Various consultations were held by Fiesco with his confidants, in order to settle the manner of doing it with the greatest certainty and effect. At first they proposed to murder the Dorias and their chief adherents during the celebration of high mass in the principal church; but, as Andrew was often absent from religious solemnities, on account of his great age, that design was laid aside. It was then concerted that Fiesco should invite the uncle and nephew, with all their friends whom he had marked out as victims, to his house, where it would be easy to cut them off at once without danger or resistance; but, as Giannetino was obliged to leave the town on the day which they had chosen, it became necessary likewise to alter this plan. They at last determined to attempt by open force what they found difficult to effect by stratagem, and fixed on the night between the second and third of January for the execution of their enterprise. The time was chosen with great propriety; for, as the doge of the former year was to quit his office, according to custom, on the first of the month, and his successor could not be elected sooner than the fourth, the republic remained during that interval in a sort of anarchy, and Fiesco might with less violence take possession of the vacant dignity.

The morning of that day Fiesco employed in visiting his friends, passing some hours among them, with a spirit as gay and unembarrassed as at other times. Towards evening he paid court to the Dorias with his usual marks of respect, and, surveying their countenance and behaviour with the attention natural in his situation, was happy to observe the perfect security in which they remained, without the least foresight or dread of that storm which had

been so long a gathering, and was now ready to burst over their heads. From their palace he hastened to his own, which stood by itself in the middle of a large court, surrounded by a high wall. The gates had been set open in the morning, and all persons, without distinction, were allowed to enter, but strong guards posted within the court suffered no one to return. Verrina, meanwhile, and a few persons trusted with the secret of the conspiracy, after conducting Fiesco's vassals, as well as the crews of his galleys, into the palace in small bodies, with as little noise as possible, dispersed themselves through the city, and, in the name of their patron, invited to an entertainment the principal citizens whom they knew to be disgusted with the administration of the Dorias and to have inclination as well as courage to attempt a change in the government. Of the vast number of persons who now filled the palace, a few only knew for what purpose they were assembled; the rest, astonished at finding, instead of the preparations for a feast, a court crowded with armed men, and apartments filled with the instruments of war, gazed on each other with a mixture of curiosity, impatience, and terror.

While their minds were in this state of suspense and agitation, Fiesco appeared. With a look full of alacrity and confidence, he addressed himself to the persons of chief distinction, telling them that they were not now called to partake of the pleasure of an entertainment, but to join in a deed of valour which would lead them to liberty and immortal renown. He set before their eyes the exorbitant as well as intolerable authority of the elder Doria, which the ambition of Giannetino, and the partiality of the emperor to a family more devoted to him than to their country, was about to enlarge and to render perpetual. "This unrighteous dominion," continued he, "you have it now in your power to subvert, and to establish the freedom of your country on a firm basis. The tyrants must be cut off. I have taken the most effectual measures for this purpose. My associates are numerous. I can depend on allies and protectors if necessary. Happily, the tyrants are as secure as I have been provident. Their insolent contempt of their countrymen has banished the suspicion and timidity which usually render the guilty quick-sighted to discern, as well as sagacious to guard against, the vengeance which they deserve. They will now feel the blow before they suspect any hostile hand to be nigh. Let us, then, sally forth, that we may deliver our country by one generous effort, almost unaccompanied with danger, and certain of success." These words, uttered with that irresistible fervour which animates the mind when roused by great objects, made the desired impression on the audience. Fiesco's vassals, ready to execute whatever their master should command, received his discourse with a murmur of applause. To many, whose fortunes were desperate, the license and confusion of an insurrection afforded an agreeable prospect. Those of higher rank and more virtuous sentiments durst not discover the surprise or horror with which they were struck at the proposal of an enterprise no less unexpected than atrocious, as each of them imagined the other to be in the secret of the conspiracy, and saw himself surrounded by persons who waited only a signal from their leader to perpetrate the greatest crime. With one voice, then, all applauded, or feigned to applaud, the undertaking.

Fiesco having thus fixed and encouraged his associates, before he gave them his last orders he hastened for a moment to the apartment of his wife, a lady of the noble house of Cibo, whom he loved with tender affection, and whose beauty and virtue rendered her worthy of his love. The noise of the armed men who crowded the court and palace having long before this reached her ears, she concluded some hazardous enterprise to be in hand, and she trembled for her husband. He found her in all the anguish of uncertainty and fear;

and, as it was now impossible to keep his design concealed, he informed her of what he had undertaken. The prospect of a scene so full of horror as well as danger completed her agony; and, foreboding immediately in her mind the fatal issue of it, she endeavoured, by her tears, her entreaties, and her despair, to divert him from his purpose. Fiesco, after trying in vain to soothe and to inspire her with hope, broke from a situation into which an excess of tenderness had unwarily seduced him, though it could not shake his resolution. "Farewell!" he cried, as he quitted the apartment: "you shall either never see me more, or you shall behold to-morrow everything in Genoa subject to your power."

As soon as he rejoined his companions, he allotted each his proper station. Some were appointed to assault and seize the different gates of the city, some to make themselves masters of the principal streets or places of strength. Fiesco reserved for himself the attack of the harbour where Doria's galleys were laid up, as the post of chief importance and of greatest danger. It was now midnight, and the citizens slept in the security of peace, when this band of conspirators, numerous, desperate, and well armed, rushed out to execute their plan. They surprised some of the gates, without meeting with any resistance. They got possession of others after a sharp conflict with the soldiers on guard. Verrina, with the galley which had been fitted out against the Turks, blocked up the mouth of the Darsena, or little harbour where Doria's fleet lay. All possibility of escape being cut off by this precaution, when Fiesco attempted to enter the galleys from the shore, to which they were made fast, they were in no condition to make resistance, as they were not only unrigged and disarmed, but had no crew on board except the slaves chained to the oar. Every quarter of the city was now filled with noise and tumult, all the streets resounding with the cry of *Fiesco* and *Liberty*. At that name, so popular and beloved, many of the lower rank took arms, and joined the conspirators. The nobles and partisans of the aristocracy, astonished or affrighted, shut the gates of their houses, and thought of nothing but of securing them from pillage. At last, the noise excited by this scene of violence and confusion reached the palace of Doria. Giannetino started immediately from his bed, and, imagining that it was occasioned by some mutiny among the sailors, rushed out with a few attendants and hurried towards the harbour. The gate of St. Thomas, through which he had to pass, was already in possession of the conspirators, who, the moment he appeared, fell upon him with the utmost fury and murdered him on the spot. The same must have been the fate of the elder Doria, if Jerome de Fiesco had executed his brother's plan and had proceeded immediately to attack him in his palace; but he, from the sordid consideration of preventing its being plundered amidst the confusion, having forbid his followers to advance, Andrew got intelligence of his nephew's death, as well as of his own danger, and, mounting on horseback, saved himself by flight. Amidst this general consternation, a few senators had the courage to assemble in the Palace of the Republic.[48] At first, some of the most daring among them attempted to rally the scattered soldiers and to attack a body of the conspirators; but, being repulsed with loss, all agreed that nothing now remained but to treat with the party which seemed to be irresistible. Deputies were accordingly sent to learn of Fiesco what were the concessions with which he would be satisfied, or rather to submit to whatever terms he should please to prescribe.

But by this time Fiesco, with whom they were empowered to negotiate, was no more. Just as he was about to leave the harbour, where everything had

[48] Il Palazzo della Signoria.

succeeded to his wish, that he might join his victorious companions, he heard some extraordinary uproar on board the admiral's galley. Alarmed at the noise, and fearing that the slaves might break their chains and overpower his associates, he ran thither; but, the plank which reached from the shore to the vessel happening to overturn, he fell into the sea, whilst he hurried forward too precipitately. Being loaded with heavy armour, he sunk to the bottom, and perished in the very moment when he must have taken full possession of everything that his ambitious heart could desire. Verrina was the first who discovered this fatal accident, and, foreseeing at once all its consequences, concealed it with the utmost industry from every one but a few leaders of the conspiracy. Nor was it difficult, amidst the darkness and confusion of the night, to have kept it secret until a treaty with the senators should have put the city in the power of the conspirators. All their hopes of this were disconcerted by the imprudence of Jerome Fiesco, who, when the deputies of the senate inquired for his brother, the count of Lavagna, that they might make their proposals to him, replied, with a childish vanity, "I am now the only person to whom that title belongs, and with me you must treat." These words discovered, as well to his friends as to his enemies, what had happened, and made the impression which might have been expected upon both. The deputies, encouraged by this event, the only one which could occasion such a sudden revolution as might turn to their advantage, assumed instantly, with admirable presence of mind, a new tone, suitable to the change in their circumstances, and made high demands. While they endeavoured to gain time by protracting the negotiation, the rest of the senators were busy in assembling their partisans, and in forming a body capable of defending the Palace of the Republic. On the other hand, the conspirators, astonished at the death of a man whom they adored and trusted, and placing no confidence in Jerome, a giddy youth, felt their courage die away, and their arms fall from their hands. That profound and amazing secrecy with which the conspiracy had been concerted, and which had contributed hitherto so much to its success, proved now the chief cause of its miscarriage. The leader was gone; the greater part of those who acted under him knew not his confidants, and were strangers to the object at which he aimed. There was no person among them whose authority or abilities entitled him to assume Fiesco's place or to finish his plan. After having lost the spirit which animated it, life and activity deserted the whole body. Many of the conspirators withdrew to their houses, hoping that, amidst the darkness of the night, they had passed unobserved and might remain unknown. Others sought for safety by a timely retreat; and before break of day most of them fled with precipitation from a city which but a few hours before was ready to acknowledge them as masters.

Next morning everything was quiet in Genoa: not an enemy was to be seen; few marks of the violence of the former night appeared, the conspirators having conducted their enterprise with more noise than bloodshed, and gained all their advantages by surprise rather than by force of arms. Towards evening Andrew Doria returned to the city, being met by all the inhabitants, who received him with acclamations of joy. Though the disgrace as well as danger of the preceding night were fresh in his mind, and the mangled body of his kinsman still before his eyes, such was his moderation as well as magnanimity that the decree issued by the senate against the conspirators did not exceed that just measure of severity which was requisite for the support of government, and was dictated neither by the violence of resentment nor the rancour of revenge.[49]

[49] Thuan., 93.—Sigonii Vita Andreæ Doriæ, 1196.—La Conjuration du Comte de Fiesque, par le Cardinal de Retz.—Adriani, Istoria, lib. vi. 369.—Folietæ Conjuratio Jo. Lud. Fiesci.

After taking the necessary precautions for preventing the flame which was now so happily extinguished from breaking out anew, the first care of the senate was to send an ambassador to the emperor, to give him a particular detail of what had happened, and to beg his assistance towards the reduction of Montobbio, a strong fort on the hereditary estate of the Fiesci, in which Jerome had shut himself up. Charles was no less alarmed than astonished at an event so strange and unexpected. He could not believe that Fiesco, how bold or adventurous soever, durst have attempted such an enterprise but on foreign suggestion and from the hope of foreign aid. Being informed that the duke of Parma was well acquainted with the plan of the conspirators, he immediately supposed that the pope could not be ignorant of a measure which his son had countenanced. Proceeding from this to a farther conjecture, which Paul's cautious maxims of policy in other instances rendered extremely probable, he concluded that the French king must have known and approved of the design ; and he began to apprehend that this spark might again kindle the flame of war which had raged so long in Italy. As he had drained his Italian territories of troops on account of the German war, he was altogether unprovided for resisting any hostile attack in that country, and on the first appearance of danger he must have detached thither the greatest part of his forces for its defence. In this situation of affairs, it would have been altogether imprudent in the emperor to have advanced in person against the elector until he should learn with some degree of certainty whether such a scene were not about to open in Italy as might put it out of his power to keep the field with an army sufficient to oppose him.

ap. Græv. Thes. Ital., i. 883.—It is remarkable that Cardinal de Retz, at the age of eighteen, composed a history of this conspiracy, containing such a discovery of his admiration of Fiesco and his enterprise as renders it not surprising that a minister so jealous and discerning as Richelieu should be led by the perusal of it to predict the turbulent and dangerous spirit of that young ecclesiastic. Mém. de Retz, tom. i. p. 13.

BOOK IX.

Francis, jealous of the Emperor, endeavours to form Alliances against him—Death of Francis—The Emperor marches against the Elector of Saxony—Battle of Mulhausen—The Elector taken Prisoner—Charles invests Wittemberg—His ungenerous Treatment of the Elector—Maurice put in Possession of the Electoral Dominions—The Emperor treacherously detains the Landgrave as a Prisoner—His Rigour towards his German Subjects—Ferdinand's Tyranny in Bohemia—Diet at Augsburg—The Council translated from Trent to Bologna—Assassination of the Pope's Son—The Pope's Dread of the Emperor—Contest as to the Place of Session of the Council—Compliance with "The Interim" enforced by the Emperor—The Pope dismisses the Council assembled at Bologna—The Emperor receives his Son Philip in the Low Countries.

THE emperor's dread of the hostile intentions of the pope and French king did not proceed from any imaginary or ill-grounded suspicion. Paul had already given the strongest proofs both of his jealousy and enmity. Charles could not hope that Francis, after a rivalship of so long continuance, would behold the great advantages which he had gained over the confederate Protestants, without feeling his ancient emulation revive. He was not deceived in this conjecture. Francis had observed the rapid progress of his arms with deep concern, and, though hitherto prevented, by circumstances which have been mentioned, from interposing in order to check them, he was now convinced that if he did not make some extraordinary and timely effort, Charles must acquire such a degree of power as would enable him to give law to the rest of Europe. This apprehension, which did not take its rise from the jealousy of rivalship alone, but was entertained by the wisest politicians of the age, suggested various expedients which might serve to retard the course of the emperor's victories, and to form by degrees such a combination against him as might put a stop to his dangerous career

With this view, Francis instructed his emissaries in Germany to employ all their address in order to revive the courage of the confederates and to prevent them from submitting to the emperor. He made liberal offers of his assistance to the elector and landgrave, whom he knew to be the most zealous, as well as the most powerful, of the whole body; he used every argument and proposed every advantage which could either confirm their dread of the emperor's designs or determine them not to imitate the inconsiderate credulity of their associates in giving up their religion and liberties to his disposal. While he took this step towards continuing the civil war which raged in Germany, he endeavoured likewise to stir up foreign enemies against the emperor. He solicited Solyman to seize this favourable opportunity of invading Hungary, which had been drained of all the troops necessary for its defence, in order to form the army against the confederates of Smalkalde. He exhorted the pope to repair by a vigorous and seasonable effort the error of which he had been guilty in contributing to raise the emperor to such a formidable height of power. Finding Paul, both from the consciousness of his own mistake, and his dread of its consequences, abundantly disposed to listen to what he suggested, he availed

himself of this favourable disposition which the pontiff began to discover, as an argument to gain the Venetians. He endeavoured to convince them that nothing could save Italy, and even Europe, from oppression and servitude, but their joining with the pope and him in giving the first beginning to a general confederacy in order to humble that ambitious potentate whom they had all equal reason to dread.

Having set on foot these negotiations in the southern courts, he turned his attention next towards those in the north of Europe. As the king of Denmark had particular reasons to be offended with the emperor, Francis imagined that the object of the league which he had projected would be highly acceptable to him; and, lest considerations of caution or prudence should restrain him from joining in it, he attempted to overcome these by offering him the young queen of Scots in marriage to his son.[1] As the ministers who governed England in the name of Edward VI. had openly declared themselves converts to the opinions of the Reformers, as soon as it became safe upon Henry's death to lay aside that disguise which his intolerant bigotry had forced them to assume, Francis flattered himself that their zeal would not allow them to remain inactive spectators of the overthrow and destruction of those who professed the same faith with themselves. He hoped that, notwithstanding the struggles of faction incident to a minority, and the prospect of an approaching rupture with the Scots, he might prevail on them likewise to take part in the common cause.[2]

While Francis employed such a variety of expedients and exerted himself with such extraordinary activity to rouse the different states of Europe against his rival, he did not neglect what depended on himself alone. He levied troops in all parts of his dominions, he collected military stores, he contracted with the Swiss cantons for a considerable body of men, he put his finances in admirable order, he remitted considerable sums to the elector and landgrave, and took all the other steps necessary towards commencing hostilities on the shortest warning and with the greatest vigour.[3]

Operations so complicated, and which required the putting so many instruments in motion, did not escape the emperor's observation. He was early informed of Francis's intrigues in the several courts of Europe, as well as of his domestic preparations; and, sensible how fatal an interruption a foreign war would prove to his designs in Germany, he trembled at the prospect of that event. The danger, however, appeared to him as unavoidable as it was great. He knew the insatiable and well-directed ambition of Solyman, and that he always chose the season for beginning his military enterprises with prudence equal to the valour with which he conducted them. The pope, as he had good reason to believe, wanted not pretexts to justify a rupture, or inclination to begin hostilities. He had already made some discovery of his sentiments by expressing a joy altogether unbecoming the head of the Church upon receiving an account of the advantage which the elector of Saxony had gained over Albert of Brandenburg; and, as he was now secure of finding in the French king an ally of sufficient power to support him, he was at no pains to conceal the violence and extent of his enmity.[4] The Venetians, Charles was well assured, had long observed the growth of his power with jealousy, which, added to the solicitations and promises of France, might at last quicken their slow counsels and overcome their natural caution. The Danes and English, it was evident, had both peculiar reason to be disgusted, as well as strong motives to act against him. But above all he dreaded the active emulation of Francis

[1] Mém. de Ribier, i. 600, 606. [2] Ibid., 635. [3] Ibid., 595.
[4] Ibid, 637.

himself, whom he considered as the soul and mover of any confederacy that could be formed against him; and, as that monarch had afforded protection to Verrina, who sailed directly to Marseilles upon the miscarriage of Fiesco's conspiracy, Charles expected every moment to see the commencement of those hostile operations in Italy of which he conceived the insurrection in Genoa to have been only the prelude.

But, while he remained in this state of suspense and solicitude, there was one circumstance which afforded him some prospect of escaping the danger. The French king's health began to decline. A disease which was the effect of his inconsiderate pursuit of pleasure preyed gradually on his constitution. The preparations for war, as well as the negotiations in the different courts, began to languish, together with the monarch who gave spirit to both. The Genoese during that interval reduced Montobbio, took Jerome Fiesco prisoner, and, putting him to death, together with his chief adherents, extinguished all remains of the conspiracy. Several of the imperial cities in Germany, despairing of timely assistance from France, submitted to the emperor. Even the landgrave seemed disposed to abandon the elector, and to bring matters to a speedy accommodation on such terms as he could obtain. In the mean time, Charles waited with impatience the issue of a distemper which was to decide whether he must relinquish all other schemes in order to prepare for resisting a combination of the greater part of Europe against him, or whether he might proceed to invade Saxony, without interruption or fear of danger.

The good fortune so remarkably propitious to his family that some historians have called it the *star of the house of Austria*, did not desert him on this occasion. Francis died at Rambouillet on the last day of March, in the fifty-third year of his age and the thirty-third of his reign. During twenty-eight years of that time an avowed rivalship subsisted between him and the emperor, which involved not only their own dominions, but the greater part of Europe, in wars which were prosecuted with more violent animosity and drawn out to a greater length than had been known in any former period. Many circumstances contributed to this. Their animosity was founded in opposition of interest, heightened by personal emulation, and exasperated not only by mutual injuries but by reciprocal insults. At the same time, whatever advantage one seemed to possess towards gaining the ascendant was wonderfully balanced by some favourable circumstance peculiar to the other. The emperor's dominions were of greater extent, the French king's lay more compact: Francis governed his kingdom with absolute power; that of Charles was limited, but he supplied the want of authority by address: the troops of the former were more impetuous and enterprising, those of the latter better disciplined and more patient of fatigue. The talents and abilities of the two monarchs were as different as the advantages which they possessed, and contributed no less to prolong the contest between them. Francis took his resolutions suddenly, prosecuted them at first with warmth, and pushed them into execution with a most adventurous courage; but, being destitute of the perseverance necessary to surmount difficulties, he often abandoned his designs, or relaxed the vigour of pursuit, from impatience, and sometimes from levity. Charles deliberated long, and determined with coolness; but, having once fixed his plan, he adhered to it with inflexible obstinacy, and neither danger nor discouragement could turn him aside from the execution of it. The success of their enterprises was suitable to the diversity of their characters, and was uniformly influenced by it. Francis, by his impetuous activity, often disconcerted the emperor's best-laid schemes; Charles, by a more calm but steady prosecution of his designs, checked the rapidity of his rival's career and

baffled or repulsed his most vigorous efforts. The former, at the opening of a war or of a campaign, broke in upon his enemy with the violence of a torrent, and carried all before him; the latter, waiting until he saw the force of his rival begin to abate, recovered in the end not only all that he had lost, but made new acquisitions. Few of the French monarch's attempts towards conquest, whatever promising aspect they might wear at first, were conducted to a happy issue; many of the emperor's enterprises, even after they appeared desperate and impracticable, terminated in the most prosperous manner. Francis was dazzled with the splendour of an undertaking; Charles was allured by the prospect of its turning to his advantage.

The degree, however, of their comparative merit and reputation has not been fixed either by a strict scrutiny into their abilities for government or by an impartial consideration of the greatness and success of their undertakings; and Francis is one of those monarchs who occupies a higher rank in the temple of fame than either his talents or performances entitle him to hold. This preeminence he owed to many different circumstances. The superiority which Charles acquired by the victory of Pavia, and which from that period he preserved through the remainder of his reign, was so manifest that Francis's struggle against his exorbitant and growing dominion was viewed by most of the other powers not only with the partiality which naturally arises for those who gallantly maintain an unequal contest, but with the favour due to one who was resisting a common enemy and endeavouring to set bounds to a monarch equally formidable to them all. The characters of princes, too, especially among their contemporaries, depend not only upon their talents for government, but upon their qualities as men. Francis, notwithstanding the many errors conspicuous in his foreign policy and domestic administration, was nevertheless humane, beneficent, generous. He possessed dignity without pride, affability free from meanness, and courtesy exempt from deceit. All who had access to him—and no man of merit was ever denied that privilege—respected and loved him. Captivated with his personal qualities, his subjects forgot his defects as a monarch; and, admiring him as the most accomplished and amiable gentleman in his dominions, they hardly murmured at acts of maladministration which in a prince of less engaging dispositions would have been deemed unpardonable. This admiration, however, must have been temporary only, and would have died away with the courtiers who bestowed it; the illusion arising from his private virtues must have ceased, and posterity would have judged of his public conduct with its usual impartiality; but another circumstance prevented this, and his name hath been transmitted to posterity with increasing reputation. Science and the arts had at that time made little progress in France. They were just beginning to advance beyond the limits of Italy, where they had revived, and which had hitherto been their only seat. Francis took them immediately under his protection, and vied with Leo himself in the zeal and munificence with which he encouraged them. He invited learned men to his court, he conversed with them familiarly, he employed them in business, he raised them to offices of dignity and honoured them with his confidence. That order of men, not more prone to complain when denied the respect to which they conceive themselves entitled than apt to be pleased when treated with the distinction which they consider as their due, thought they could not exceed in gratitude to such a benefactor, and strained their invention and employed all their ingenuity in panegyric. Succeeding authors, warmed with their descriptions of Francis's bounty, adopted their encomiums, and even added to them. The appellation of *father of letters*, bestowed upon Francis, hath rendered his memory sacred among historians;

and they seem to have regarded it as a sort of impiety to uncover his infirmities or to point out his defects. Thus Francis, notwithstanding his inferior abilities and want of success, hath more than equalled the fame of Charles. The good qualities which he possessed as a man have entitled him to greater admiration and praise than have been bestowed upon the extensive genius and fortunate arts of a more capable but less amiable rival.

By his death a considerable change was made in the state of Europe. Charles, growing old in the arts of government and command, had now to contend only with younger monarchs, who could not be regarded as worthy to enter the lists with him who had stood so many encounters with Henry VIII. and Francis I. and come off with honour in all these different struggles. By this event he was eased of all disquietude, and was happy to find that he might begin with safety those operations against the elector of Saxony which he had hitherto been obliged to suspend. He knew the abilities of Henry II., who had just mounted the throne of France, to be greatly inferior to those of his father, and foresaw that he would be so much occupied for some time in displacing the late king's ministers, whom he hated, and in gratifying the ambitious demands of his own favourites, that he had nothing to dread either from his personal efforts or from any confederacy which this unexperienced prince could form.

But, as it was uncertain how long such an interval of security might continue, Charles determined instantly to improve it; and as soon as he heard of Francis's demise he began his march from Egra on the borders of Bohemia. But the departure of the papal troops, together with the retreat of the Flemings, had so much diminished his army that sixteen thousand men were all he could assemble. With this inconsiderable body he set out on an expedition the event of which was to decide what degree of authority he should possess from that period in Germany; but, as this little army consisted chiefly of the veteran Spanish and Italian bands, he did not, in trusting to them, commit much to the decision of chance; and even with so small a force he had reason to entertain the most sanguine hopes of success. The elector had levied an army greatly superior in number; but neither the experience and discipline of his troops nor the abilities of his officers were to be compared with those of the emperor. The elector, besides, had already been guilty of an error which deprived him of all the advantage which he might have derived from his superiority in number, and was alone sufficient to have occasioned his ruin. Instead of keeping his forces united, he detached one great body towards the frontiers of Bohemia, in order to facilitate his junction with the malecontents of that kingdom, and cantoned a considerable part of what remained in different places of Saxony, where he expected the emperor would make his first impression, vainly imagining that open towns with small garrisons might be rendered tenable against an enemy.

The emperor entered the southern frontier of Saxony, and attacked Altorf upon the Elster. The impropriety of the measure which the elector had taken was immediately seen, the troops posted in that town surrendering without resistance; and those in all the other places between that and the Elbe either imitated their example or fled as the imperialists approached. Charles, that they might not recover from the panic with which they seemed to be struck, advanced without losing a moment. The elector, who had fixed his headquarters at Meissen, continued in his wonted state of fluctuation and uncertainty. He even became more undetermined in proportion as the danger drew near and called for prompt and decisive resolutions. Sometimes he acted as if he had resolved to defend the banks of the Elbe and to hazard a battle with

the enemy as soon as the detachments which he had called in were able to join him. At other times he abandoned this as rash and perilous, seeming to adopt the more prudent counsels of those who advised him to endeavour at protracting the war, and for that end to retire under the fortifications of Wittemberg, where the imperialists could not attack him without manifest disadvantage, and where he might wait in safety for the succours which he expected from Mecklenburg, Pomerania, and the Protestant cities on the Baltic. Without fixing upon either of these plans, he broke down the bridge at Meissen, and marched along the east bank of the Elbe to Muhlberg. There he deliberated anew, and, after much hesitation, adopted one of those middle schemes which are always acceptable to feeble minds incapable of deciding. He left a detachment at Muhlberg to oppose the imperialists if they should attempt to pass at that place, and, advancing a few miles with his main body, encamped there in expectation of the event according to which he proposed to regulate his subsequent motions.

Charles, meanwhile, pushing forward incessantly, arrived, the evening of the twenty-third of April, on the banks of the Elbe, opposite to Muhlberg. The river at that place was three hundred paces in breadth, above four feet in depth, its current rapid, and the bank possessed by the Saxons was higher than that which he occupied. Undismayed, however, by all these obstacles, he called together his general officers, and, without asking their opinion, communicated to them his intention of attempting next morning to force his passage over the river and to attack the enemy wherever he could come up with them. They all expressed their astonishment at such a bold resolution ; and even the duke of Alva, though naturally daring and impetuous, and Maurice of Saxony, notwithstanding his impatience to crush his rival the elector, remonstrated earnestly against it. But the emperor, confiding in his own judgment or good fortune, paid no regard to their arguments, and gave the orders necessary for executing his design.

Early in the morning a body of Spanish and Italian foot marched towards the river, and began an incessant fire upon the enemy. The long, heavy muskets used in that age did execution on the opposite bank, and many of the soldiers, hurried on by a martial ardour in order to get nearer the enemy, rushed into the stream, and, advancing breast-high, fired with a more certain aim and with greater effect. Under cover of their fire, a bridge of boats was begun to be laid for the infantry ; and a peasant having undertaken to conduct the cavalry through the river by a ford with which he was well acquainted, they also were put in motion. The Saxons posted in Muhlberg endeavoured to obstruct these operations by a brisk fire from a battery which they had erected ; but, as a thick fog covered all the low grounds upon the river, they could not take aim with any certainty, and the imperialists suffered very little ; at the same time, the Saxons being much galled by the Spaniards and Italians, they set on fire some boats which had been collected near the village, and prepared to retire. The imperialists perceiving this, ten Spanish soldiers instantly stripped themselves, and, holding their swords with their teeth, swam across the river, put to flight such of the Saxons as ventured to oppose them, saved from the flames as many boats as were sufficient to complete their own bridge, and by this spirited and successful action encouraged their companions no less than they intimidated the enemy.

By this time the cavalry, each trooper having a foot-soldier beside him, began to enter the river, the light-horse marching in front, followed by the men-at-arms, whom the emperor led in person, mounted on a Spanish horse, dressed in a sumptuous habit, and carrying a javelin in his hand. Such a

numerous body struggling through a great river, in which, according to the directions of their guide, they were obliged to make several turns, sometimes treading on a firm bottom, sometimes swimming, presented to their companions whom they left behind a spectacle equally magnificent and interesting.[5] Their courage at last surmounted every obstacle, no man betraying any symptom of fear, when the emperor shared in the danger no less than the meanest soldier. The moment that they reached the opposite side, Charles, without waiting the arrival of the rest of the infantry, advanced towards the Saxons with the troops which had passed along with him, who, flushed with their good fortune, and despising an enemy who had neglected to oppose them when it might have been done with such advantage, made no account of their superior numbers, and marched on as to a certain victory.

During all these operations, which necessarily consumed much time, the elector remained inactive in his camp; and, from an infatuation which appears to be so amazing that the best-informed historians impute it to the treacherous arts of his generals, who deceived him by false intelligence, he would not believe that the emperor had passed the river or could be so near at hand.[6] Being convinced at last of his fatal mistake by the concurring testimony of eye-witnesses, he gave orders for retreating towards Wittemberg. But a German army, encumbered, as usual, with baggage and artillery, could not be put suddenly in motion. They had just begun to march, when the light troops of the enemy came in view, and the elector saw an engagement to be unavoidable. As he was no less bold in action than irresolute in council, he made the disposition for battle with the greatest presence of mind and in the most proper manner, taking advantage of a great forest to cover his wings, so as to prevent his being surrounded by the enemy's cavalry, which were far more numerous than his own. The emperor, likewise, ranged his men in order as they came up, and, riding along the ranks, exhorted them, with few but efficacious words, to do their duty. It was with a very different spirit that the two armies advanced to the charge. As the day, which had hitherto been dark and cloudy, happened to clear up at that moment, this accidental circumstance made an impression on the different parties corresponding to the tone of their minds: the Saxons, surprised and disheartened, felt pain at being exposed fully to the view of the enemy; the imperialists, being now secure that the Protestant forces could not escape from them, rejoiced at the return of sunshine as a certain presage of victory. The shock of battle would not have been long doubtful, if the personal courage which the elector displayed, together with the activity which he exerted from the moment that the approach of the enemy rendered an engagement certain and cut off all possibility of hesitation, had not revived in some degree the spirit of his troops. They repulsed the Hungarian light-horse who began the attack, and received with firmness the men-at-arms who next advanced to the charge; but, as these were the flower of the imperial army, were commanded by experienced officers, and fought under the emperor's eye, the Saxons soon began to give way, and, the light troops rallying at the same time and falling on their flanks, the flight became general. A small body of chosen soldiers, among whom the elector had fought in person, still continued to defend themselves, and endeavoured to save their master by retiring into the forest; but, being surrounded on every side, the elector, wounded in the face, exhausted with fatigue, and perceiving all resistance to be vain, surrendered himself a prisoner. He was conducted immediately towards the emperor, whom he found just returned from the pursuit, standing on the field of battle in the full exultation of success, and receiving

[5] Avila, 115, a. [6] Camerar., ap. Freher., iii. 493.—Struv., Corp. Hist. Germ., 1047, 1049.

the congratulations of his officers upon this complete victory, obtained by his valour and conduct. Even in such an unfortunate and humbling situation, the elector's behaviour was equally magnanimous and decent. Sensible of his condition, he approached his conqueror without any of the sullenness or pride which would have been improper in a captive; and, conscious of his own dignity, he descended to no mean submission unbecoming the high station which he held among the German princes. "The fortune of war," said he, "has made me your prisoner, most gracious emperor, and I hope to be treated——" Here Charles harshly interrupted him: "And am I then, at last, acknowledged to be emperor? Charles of Ghent was the only title you lately allowed me. You shall be treated as you deserve." At these words he turned from him abruptly with a haughty air. To this cruel repulse the king of the Romans added reproaches in his own name, using expressions still more ungenerous and insulting. The elector made no reply, but, with an unaltered countenance, which discovered neither astonishment nor dejection, accompanied the Spanish soldiers appointed to guard him.[7]

This decisive victory cost the imperialists only fifty men. Twelve hundred of the Saxons were killed, chiefly in the pursuit, and a greater number taken prisoners. About four hundred kept in a body, and escaped to Wittemberg, together with the electoral prince, who had likewise been wounded in the action. After resting two days on the field of battle, partly to refresh his army, and partly to receive the deputies of the adjacent towns, which were impatient to secure his protection by submitting to his will, the emperor began to move towards Wittemberg, that he might terminate the war at once by the reduction of that city. The unfortunate elector was carried along in a sort of triumph, and exposed everywhere, as a captive, to his own subjects; a spectacle extremely afflicting to them, who both honoured and loved him; though the insult was so far from subduing his firm spirit that it did not even ruffle the wonted tranquillity and composure of his mind.

As Wittemberg, the residence, in that age, of the electoral branch of the Saxon family, was one of the strongest cities in Germany, and could not be taken, if properly defended, without great difficulty, the emperor marched thither with the utmost despatch, hoping that, while the consternation occasioned by his victory was still recent, the inhabitants might imitate the example of their countrymen, and submit to his power as soon as he appeared before their walls. But Sybilla of Cleves, the elector's wife, a woman no less distinguished by her abilities than her virtue, instead of abandoning herself to tears and lamentations upon her husband's misfortune, endeavoured by her example, as well as exhortations, to animate the citizens. She inspired them with such resolution that when summoned to surrender they returned a vigorous answer, warning the emperor to behave towards their sovereign with the respect due to his rank, as they were determined to treat Albert of Brandenburg, who was still a prisoner, precisely in the same manner that he treated the elector. The spirit of the inhabitants, no less than the strength of the city, seemed now to render a siege in form necessary. After such a signal victory, it would have been disgraceful not to have undertaken it, though at the same time the emperor was destitute of everything requisite for carrying it on. But Maurice removed all difficulties, by engaging to furnish provisions, artillery, ammunition, pioneers, and whatever else should be needed. Trusting to this, Charles gave orders to open the trenches before the town. It quickly appeared that Maurice's eagerness to reduce the capital of those

[7] Sleid., Hist., 426.—Thuan., 136.—Hortensius de Bello Germ., ap. Scard., vol. ii. 498.—Descript. Pugnæ Muhlberg., ibid., p. 509.—P. Heuter., Rer. Austr., lib. xii. c. 13. p. 298.

dominions, which he expected as his reward for taking arms against his kinsman and deserting the Protestant cause, had led him to promise what exceeded his power to perform. A battering-train was, indeed, carried safely down the Elbe from Dresden to Wittemberg; but, as Maurice had not sufficient force to preserve a secure communication between his own territories and the camp of the besiegers, Count Mansfeldt, who commanded a body of electoral troops, intercepted and destroyed a convoy of provisions and military stores, and dispersed a band of pioneers destined for the service of the imperialists. This put a stop to the progress of the siege, and convinced the emperor that, as he could not rely on Maurice's promises, recourse ought to be had to some more expeditious as well as more certain method of getting possession of the town.

The unfortunate elector was in his hands, and Charles was ungenerous and hard-hearted enough to take advantage of this, in order to make an experiment whether he might not bring about his design by working upon the tenderness of a wife for her husband, or upon the piety of children towards their parent. With this view, he summoned Sybilla a second time to open the gates, letting her know that if she again refused to comply the elector should answer with his head for her obstinacy. To convince her that this was not an empty threat, he brought his prisoner to an immediate trial. The proceedings against him were as irregular as the stratagem was barbarous. Instead of consulting the states of the empire, or remitting the cause to any court which, according to the German constitution, might have legally taken cognizance of the elector's crime, he subjected the greatest prince in the empire to the jurisdiction of a court-martial composed of Spanish and Italian officers, and in which the unrelenting duke of Alva, a fit instrument for any act of violence, presided. This strange tribunal founded its charge upon the ban of the empire, which had been issued against the prisoner by the sole authority of the emperor and was destitute of every legal formality which could render it valid. But the court-martial, presuming the elector to be thereby manifestly convicted of treason and rebellion, condemned him to suffer death by being beheaded. This decree was intimated to the elector while he was amusing himself in playing at chess with Ernest of Brunswick, his fellow-prisoner. He paused for a moment, though without discovering any symptom either of surprise or terror, and, after taking notice of the irregularity as well as injustice of the emperor's proceedings, "It is easy," continued he, "to comprehend his scheme. I must die because Wittemberg will not surrender; and I shall lay down my life with pleasure, if by that sacrifice I can preserve the dignity of my house and transmit to my posterity the inheritance which belongs to them. Would to God that this sentence may not affect my wife and children more than it intimidates me, and that they, for the sake of adding a few days to a life already too long, may not renounce honours and territories which they were born to possess!"[8] He then turned to his antagonist, whom he challenged to continue the game. He played with his usual attention and ingenuity, and, having beat Ernest, expressed all the satisfaction which is commonly felt on gaining such victories. After this, he withdrew to his own apartment, that he might employ the rest of his time in such religious exercises as were proper in his situation.[9]

It was not with the same indifference or composure that the account of the elector's danger was received in Wittemberg. Sybilla, who had supported with such undaunted fortitude her husband's misfortunes while she imagined that they could reach no farther than to diminish his power or territories, felt

[8] Thuan., i. 142. [9] Struvii Corpus, 1050.

all her resolution fail as soon as his life was threatened. Solicitous to save that, she despised every other consideration, and was willing to make any sacrifice in order to appease an incensed conqueror. At the same time, the duke of Cleves, the elector of Brandenburg, and Maurice, to none of whom Charles had communicated the true motives of his violent proceedings against the elector, interceded warmly with him to spare his life. The first was prompted to do so merely by compassion for his sister and regard for his brother-in-law. The two others dreaded the universal reproach that they would incur if, after having boasted so often of the ample security which the emperor had promised them with respect to their religion, the first effect of their union with him should be the public execution of a prince who was justly held in reverence as the most zealous protector of the Protestant cause. Maurice, in particular, foresaw that he must become the object of detestation to the Saxons, and could never hope to govern them with tranquillity, if he were considered by them as accessory to the death of his nearest kinsman in order that he might obtain possession of his dominions.

While they, from such various motives, solicited Charles, with the most earnest importunity, not to execute the sentence, Sybilla and his children conjured the elector, by letters as well as messengers, to scruple at no concession that would extricate him out of the present danger and deliver them from their fears and anguish on his account. The emperor, perceiving that the expedient which he had tried began to produce the effect that he intended, fell by degrees from his former rigour, and allowed himself to soften into promises of clemency and forgiveness if the elector would show himself worthy of his favour by submitting to reasonable terms. The elector, on whom the consideration of what he might suffer himself had made no impression, was melted by the tears of a wife whom he loved, and could not resist the entreaties of his family. In compliance with their repeated solicitations, he agreed to articles of accommodation which he would otherwise have rejected with disdain. The chief of them were, that he should resign the electoral dignity, as well for himself as for his posterity, into the emperor's hands, to be disposed of entirely at his pleasure; that he should instantly put the imperial troops in possession of the cities of Wittemberg and Gotha; that he should set Albert of Brandenburg at liberty without ransom; that he should submit to the decrees of the imperial chamber, and acquiesce in whatever reformation the emperor should make in the constitution of that court; that he should renounce all leagues against the emperor or king of the Romans, and enter into no alliance for the future in which they were not comprehended. In return for these important concessions, the emperor not only promised to spare his life, but to settle on him and his posterity the city of Gotha and its territories, together with an annual pension of fifty thousand florins, payable out of the revenues of the electorate, and likewise to grant him a sum in ready money to be applied towards the discharge of his debts. Even these articles of grace were clogged with the mortifying condition of his remaining the emperor's prisoner during the rest of his life.[10] To the whole Charles had subjoined that he should submit to the decrees of the pope and council with regard to the controverted points in religion; but the elector, though he had been persuaded to sacrifice all the objects which men commonly hold to be the dearest and most valuable, was inflexible with regard to this point; and neither threats nor entreaties could prevail to make him renounce what he deemed to be truth, or persuade him to act in opposition to the dictates of his conscience.

[10] Sleid., 427.—Thuan., i. 142.—Du Mont, Corps Diplom., iv. 11, 332.

As soon as the Saxon garrison marched out of Wittemberg, the emperor fulfilled his engagements to Maurice; and, in reward for his merit in having deserted the Protestant cause and having contributed with such success towards the dissolution of the Smalkaldic league, he gave him possession of that city, together with all the other towns in the electorate. It was not without reluctance, however, that he made such a sacrifice. The extraordinary success of his arms had begun to operate in its usual manner upon his ambitious mind, suggesting new and vast projects for the aggrandizement of his family, towards the accomplishment of which the retaining of Saxony would have been of the utmost consequence. But, as the scheme was not then ripe for execution, he durst not yet venture to disclose it; nor would it have been either safe or prudent to offend Maurice, at that juncture, by such a manifest violation of all the promises which had seduced him to abandon his natural allies.

The landgrave, Maurice's father-in-law, was still in arms, and, though now left alone to maintain the Protestant cause, was neither a feeble nor contemptible enemy. His dominions were of considerable extent, his subjects animated with zeal for the Reformation; and, if he could have held the imperialists at bay for a short time, he had much to hope from a party whose strength was still unbroken, whose union as well as vigour might return, and which had reason to depend with certainty on being effectually supported by the king of France. The landgrave thought not of anything so bold or adventurous; but, being seized with the same consternation which had taken possession of his associates, he was intent only on the means of procuring favourable terms from the emperor, whom he viewed as a conqueror to whose will there was a necessity of submitting. Maurice encouraged this tame and pacific spirit by magnifying, on the one hand, the emperor's power, by boasting, on the other, of his own interest with his victorious ally, and by representing the advantageous conditions which he could not fail of obtaining by his intercession for a friend whom he was so solicitous to save. Sometimes the landgrave was induced to place such unbounded confidence in his promises that he was impatient to bring matters to a final accommodation. On other occasions the emperor's exorbitant ambition, restrained neither by the scruples of decency nor the maxims of justice, together with the recent and shocking proof which he had given of this in his treatment of the elector of Saxony, came so full into his thoughts, and made such a lively impression on them, that he broke off abruptly the negotiations which he had begun, seeming to be convinced that it was more prudent to depend for safety on his own arms than to confide in Charles's generosity. But this bold resolution, which despair had suggested to an impatient spirit fretted by disappointments, was not of long continuance. Upon a more deliberate survey of the enemy's power, as well as his own weakness, his doubts and fears returned upon him, and together with them the spirit of negotiating, and the desire of accommodation.

Maurice and the elector of Brandenburg acted as mediators between him and the emperor; and, after all that the former had vaunted of his influence, the conditions prescribed to the landgrave were extremely rigorous. The articles with regard to his renouncing the league of Smalkalde, acknowledging the emperor's authority, and submitting to the decrees of the imperial chamber, were the same which had been imposed on the elector of Saxony. Besides these, he was required to surrender his person and territories to the emperor, to implore for pardon on his knees, to pay a hundred and fifty thousand crowns towards defraying the expenses of the war, to demolish the fortifications of all the towns in his dominions except one, to oblige the garrison which he placed

in it to take an oath of fidelity to the emperor, to allow a free passage through his territories to the imperial troops as often as it shall be demanded, to deliver up all his artillery and ammunition to the emperor, to set at liberty, without ransom, Henry of Brunswick, together with the other prisoners whom he had taken during the war, and neither to take arms himself nor to permit any of his subjects to serve against the emperor or his allies for the future.[11]

The landgrave ratified these articles, though with the utmost reluctance, as they contained no stipulation with regard to the manner in which he was to be treated, and left him entirely at the emperor's mercy. Necessity, however, compelled him to give his assent to them. Charles, who had assumed the haughty and imperious tone of a conqueror ever since the reduction of Saxony, insisted on unconditional submission, and would permit nothing to be added to the terms which he had prescribed that could in any degree limit the fulness of his power or restrain him from behaving as he saw meet towards a prince whom he regarded as absolutely at his disposal. But, though he would not vouchsafe to negotiate with the landgrave on such a footing of equality as to suffer any article to be inserted, among those which he had dictated to him, that could be considered as a formal stipulation for the security and freedom of his person, he, or his ministers in his name, gave the elector of Brandenburg and Maurice such full satisfaction with regard to this point that they assured the landgrave that Charles would behave to him in the same way as he had done to the duke of Wurtemberg, and would allow him, whenever he had made his submission, to return to his own teritories. Upon finding the landgrave to be still possessed with his former suspicions of the emperor's intentions, and unwilling to trust verbal or ambiguous declarations in a matter of such essential concern as his own liberty, they sent him a bond, signed by them both, containing the most solemn obligations that if any violence whatsoever was offered to his person during his interview with the emperor they would instantly surrender themselves to his sons, and remain in their hands to be treated by them in the same manner as the emperor should treat him.[12]

This, together with the indispensable obligation of performing what was contained in the articles of which he had accepted, removed his doubts and scruples, or made it necessary to get over them. He repaired, for that purpose, to the imperial camp at Hall in Saxony, where a circumstance occurred which revived his suspicions and increased his fears. Just as he was about to enter the chamber of presence, in order to make his public submission to the emperor, a copy of the articles which he had approved of was put into his hands, in order that he might ratify them anew. Upon perusing them, he perceived that the imperial ministers had added two new articles: one importing that, if any dispute should arise concerning the meaning of the former conditions, the emperor should have the right of putting what interpretation upon them he thought most reasonable; the other, that the landgrave was bound to submit implicitly to the decisions of the council of Trent. This unworthy artifice, calculated to surprise him into an approbation of articles to which he had not the most distant idea of assenting, by proposing them to him at a time when his mind was engrossed and disquieted with the thoughts of that humiliating ceremony which he had to perform, filled the landgrave with indignation, and made him break out into all those violent expressions of rage to which his temper was prone. With some difficulty the elector of Brandenburg and Maurice prevailed at length on the emperor's ministers to drop the

[11] Sleid., 430.—Thuan., lib. iv. 146.
[12] Du Mont, Corps Diplom., iv. 11, 336.

former article as unjust, and to explain the latter in such a manner that he could agree to it without openly renouncing the Protestant religion.

This obstacle being surmounted, the landgrave was impatient to finish a ceremony which, how mortifying soever, had been declared necessary towards his obtaining pardon. The emperor was seated on a magnificent throne, with all the ensigns of his dignity, surrounded by a numerous train of the princes of the empire, among whom was Henry of Brunswick, lately the landgrave's prisoner, and now, by a sudden reverse of fortune, a spectator of his humiliation. The landgrave was introduced with great solemnity, and, advancing towards the throne, fell upon his knees. His chancellor, who walked behind him, immediately read, by his master's command, a paper, which contained an humble confession of the crime whereof he had been guilty, an acknowledgment that he had merited on that account the most severe punishment, an absolute resignation of himself and his dominions to be disposed of at the emperor's pleasure, a submissive petition for pardon, his hopes of which were founded entirely on the emperor's clemency; and it concluded with promises of behaving, for the future, like a subject whose principles of loyalty and obedience would be confirmed, and would even derive new force, from the sentiments of gratitude which must hereafter fill and animate his heart. While the chancellor was reading this abject declaration, the eyes of all the spectators were fixed on the unfortunate landgrave; few could behold a prince, so powerful as well as high-spirited, suing for mercy in the posture of a suppliant, without being touched with commiseration, and perceiving serious reflections arise in their minds upon the instability and emptiness of human grandeur. The emperor viewed the whole transaction with a haughty, unfeeling composure, and, preserving a profound silence himself, made a sign to one of his secretaries to read his answer; the tenor of which was, that, though he might have justly inflicted on him the grievous punishment which his crimes deserved, yet, prompted by his own generosity, moved by the solicitations of several princes in behalf of the landgrave, and influenced by his penitential acknowledgments, he would not deal with him according to the rigour of justice, and would subject him to no penalty that was not specified in the articles which he had already subscribed. The moment the secretary had finished, Charles turned away abruptly, without deigning to give the unhappy suppliant any sign of compassion or reconcilement. He did not even desire him to rise from his knees, which the landgrave, having ventured to do unbidden, advanced towards the emperor with an intention to kiss his hand, flattering himself that, his guilt being now fully expiated, he might presume to take that liberty. But the elector of Brandenburg, perceiving that this familiarity would be offensive to the emperor, interposed, and desired the landgrave to go along with him and Maurice to the duke of Alva's apartments in the castle.

He was received and entertained by that nobleman with the respect and courtesy due to such a guest; but after supper, while he was engaged in play, the duke took the elector and Maurice aside, and communicated to them the emperor's orders, that the landgrave must remain a prisoner in that place, under the custody of a Spanish guard. As they had not hitherto entertained the most distant suspicion of the emperor's sincerity or rectitude of intention, their surprise was excessive, and their indignation not inferior to it, on discovering how greatly they had been deceived themselves, and how infamously abused, in having been made the instruments of deceiving and ruining their friend. They had recourse to complaints, to arguments, and to entreaties, in order to save themselves from that disgrace, and to extricate him out of the wretched situation into which he had been betrayed by too great confidence

in them. But the duke of Alva remained inflexible, and pleaded the necessity of executing the emperor's commands. By this time it grew late, and the landgrave, who knew nothing of what had passed, nor dreaded the snare in which he was entangled, prepared for departing, when the fatal orders were intimated to him. He was struck dumb at first with astonishment; but, after being silent a few moments, he broke out into all the violent expressions which horror at injustice accompanied with fraud naturally suggests. He complained, he expostulated, he exclaimed; sometimes inveighing against the emperor's artifices as unworthy of a great and generous prince, sometimes censuring the credulity of his friends in trusting to Charles's insidious promises, sometimes charging them with meanness in stooping to lend their assistance towards the execution of such a perfidious and dishonourable scheme; and, in the end, he required them to remember their engagements to his children, and instantly to fulfil them. They, after giving way for a little to the torrent of his passion, solemnly asserted their own innocence and upright intention in the whole transaction, and encouraged him to hope that as soon as they saw the emperor they would obtain redress of an injury which affected their own honour no less than it did his liberty. At the same time, in order to soothe his rage and impatience, Maurice remained with him during the night, in the apartment where he was confined.[13]

Next morning the elector and Maurice applied jointly to the emperor, representing the infamy to which they would be exposed throughout Germany if the landgrave were detained in custody; that they would not have advised, nor would he himself have consented to, an interview, if they had suspected that the loss of his liberty were to be the consequence of his submission; that they were bound to procure his release, having plighted their faith to that effect and engaged their own persons as sureties for his. Charles listened to their earnest remonstrances with the utmost coolness. As he now stood no longer in need of their services, they had the mortification to find that their former obsequiousness was forgotten, and little regard paid to their intercession. He was ignorant, he told them, of their particular or private transactions with the landgrave, nor was his conduct to be regulated by any engagements into which they had thought fit to enter; though he knew well what he himself had promised, which was not that the landgrave should be exempt from all restraint, but that he should not be kept a prisoner during life.[14] Having said this with a peremptory and decisive tone, he put an end to the conference; and they, seeing no probability at that time of making any impression upon the emperor, who seemed to have taken this resolution deliberately and to be obstinately bent on adhering to it, were obliged to acquaint the unfortunate prisoner with the ill success of their endeavours in his behalf. The disappoint-

[13] Sleid., 433.—Thuan., lib. iv. 147.—Struv., Corp. Hist. Germ., ii. 1052.

[14] According to several historians of great name, the emperor, in his treaty with the landgrave, stipulated that he would not detain him in any prison. But in executing the deed, which was written in the German tongue, the imperial ministers fraudulently substituted the word *ewiger* instead of *einiger*, and thus the treaty, in place of a promise that he should not be detained in *any* prison, contained only an engagement that he should not be detained in *perpetual* imprisonment. But authors eminent for historical knowledge and critical accuracy have called in question the truth of this common story. The silence of Sleidan with regard to it, as well as its not being mentioned in the various memorials which he has published concerning the landgrave's imprisonment, greatly favour this opinion. But as several books which contain the information necessary towards discussing this point with accuracy are written in the German language, which I do not understand, I cannot pretend to inquire into this matter with the same precision wherewith I have endeavoured to settle some other controverted facts which have occurred in the course of this history. See Struv., Corp., 1052; Mosheim's Eccles. Hist., vol. ii. pp. 161, 162, Eng. ed.

ment threw him into a new and more violent transport of rage, so that, to prevent his proceeding to some desperate extremity, the elector and Maurice promised that they would not quit the emperor until by the frequency and fervour of their intercessions they had extorted his consent to set him free. They accordingly renewed their solicitations a few days afterwards, but found Charles more haughty and intractable than before, and were warned that if they touched again upon a subject so disagreeable, and with regard to which he had determined to hear nothing further, he would instantly give orders to convey the prisoner into Spain. Afraid of hurting the landgrave by an officious or ill-timed zeal to serve him, they not only desisted, but left the court; and, as they did not choose to meet the first sallies of the landgrave's rage upon his learning the cause of their departure, they informed him of it by a letter, wherein they exhorted him to fulfil all that he had promised to the emperor, as the most certain means of procuring a speedy release.

Whatever violent emotions their abandoning his cause in this manner occasioned, the landgrave's impatience to recover his liberty made him follow their advice. He paid the sum which had been imposed on him, ordered his fortresses to be razed, and renounced all alliances which could give offence. This prompt compliance with the will of the conqueror produced no effect. He was still guarded with the same vigilant severity; and being carried about, together with the degraded elector of Saxony, wherever the emperor went, their disgrace and his triumph were each day renewed. The fortitude, as well as equanimity, with which the elector bore these repeated insults, were not more remarkable than the landgrave's fretfulness and impatience. His active, impetuous mind could ill brook restraint; and reflection upon the shameful artifices by which he had been decoyed into that situation, as well as indignation at the injustice with which he was still detained in it, drove him often to the wildest excesses of passion.

The people of the different cities to whom Charles thus wantonly exposed those illustrious prisoners as a public spectacle were sensibly touched with such an insult offered to the Germanic body, and murmured loudly at this indecent treatment of two of its greatest princes. They had soon other causes of complaint, and such as affected them more nearly. Charles proceeded to add oppression to insult, and, arrogating to himself all the rights of a conqueror, exercised them with the utmost rigour. He ordered his troops to seize the artillery and military stores belonging to such as had been members of the Smalkaldic league, and, having collected upwards of five hundred pieces of cannon, a great number in that age, he sent part of them into the Low Countries, part into Italy, and part into Spain, in order to spread by this means the fame of his success, and that they might serve as monuments of his having subdued a nation hitherto deemed invincible. He then levied, by his sole authority, large sums of money, as well upon those who had served him with fidelity during the war as upon such as had been in arms against him: upon the former, as their contingent towards a war which, having been undertaken, as he pretended, for the common benefit, ought to be carried on at the common charge; upon the latter, as a fine by way of punishment for their rebellion. By these exactions he amassed above one million six hundred thousand crowns,—a sum which appeared prodigious in the sixteenth century. But so general was the consternation which had seized the Germans upon his rapid success, and such their dread of his victorious troops, that all implicitly obeyed his commands; though at the same time these extraordinary stretches of power greatly alarmed a people jealous of their privileges, and habituated, during several ages, to consider the imperial authority as neither extensive nor

formidable. This discontent and resentment, how industriously soever they concealed them, became universal; and the more these passions were restrained and kept down for the present, the more likely were they to burst out soon with additional violence.

While Charles gave law to the Germans like a conquered people, Ferdinand treated his subjects in Bohemia with still greater rigour. That kingdom possessed privileges and immunities as extensive as those of any nation in which the feudal institutions were established. The prerogative of their kings was extremely limited, and the crown itself elective. Ferdinand, when raised to the throne, had confirmed their liberties with every solemnity prescribed by their excessive solicitude for the security of a constitution of government to which they were extremely attached. He soon began, however, to be weary of a jurisdiction so much circumscribed, and to despise a sceptre which he could not transmit to his posterity; and, notwithstanding all his former engagements, he attempted to overturn the constitution from its foundations, that instead of an elective kingdom he might render it hereditary. But the Bohemians were too high-spirited tamely to relinquish privileges which they had long enjoyed. At the same time, many of them having embraced the doctrines of the Reformers, the seeds of which John Huss and Jerome of Prague had planted in their country about the beginning of the preceding century, the desire of acquiring religious liberty mingled itself with their zeal for their civil rights; and these two kindred passions, heightening, as usual, each other's force, precipitated them immediately into violent measures. They had not only refused to serve their sovereign against the confederates of Smalkalde, but, having entered into a close alliance with the elector of Saxony, they had bound themselves, by a solemn association, to defend their ancient constitution, and to persist until they should obtain such additional privileges as they thought necessary towards perfecting the present model of their government or rendering it more permanent. They chose Caspar Phlug, a nobleman of distinction, to be their general, and raised an army of thirty thousand men to enforce their petitions. But, either from the weakness of their leader, or from the dissensions in a great, unwieldy body, which, having united hastily, was not thoroughly compacted, or from some other unknown cause, the subsequent operations of the Bohemians bore no proportion to the zeal and ardour with which they took their first resolutions. They suffered themselves to be amused so long with negotiations and overtures of different kinds that before they could enter Saxony the battle of Muhlberg was fought, the elector deprived of his dignity and territories, the landgrave confined to close custody, and the league of Smalkalde entirely dissipated. The same dread of the emperor's power which had seized the rest of the Germans reached them. As soon as their sovereign approached with a body of imperial troops, they instantly dispersed, thinking of nothing but how to atone for their past guilt and to acquire some hope of forgiveness by a prompt submission. But Ferdinand, who entered his dominions full of that implacable resentment which inflames monarchs whose authority has been despised, was not to be mollified by the late repentance and involuntary return of rebellious subjects to their duty. He even heard unmoved the entreaties and tears of the citizens of Prague, who appeared before him in the posture of suppliants and implored for mercy. The sentence which he pronounced against them was rigorous to extremity: he abolished many of their privileges, he abridged others, and new-modelled the constitution according to his pleasure. He condemned to death many of those who had been most active in forming the late association against him, and punished a still greater number with confiscation of their goods, or perpetual banishment. He

obliged all his subjects, of every condition, to give up their arms, to be deposited in forts where he planted garrisons; and after disarming his people he loaded them with new and exorbitant taxes. Thus, by an ill-conducted and unsuccessful effort to extend their privileges, the Bohemians not only enlarged the sphere of the royal prerogative, when they intended to have circumscribed it, but they almost annihilated those liberties which they aimed at establishing on a broader and more secure foundation.[15]

The emperor, having now humbled, and, as he imagined, subdued, the independent and stubborn spirit of the Germans by the terror of arms and the rigour of punishment, held a diet at Augsburg, in order to compose finally the controversies with regard to religion, which had so long disturbed the empire. He durst not, however, trust the determination of a matter so interesting to the free suffrage of the Germans, broken as their minds now were to subjection. He entered the city at the head of his Spanish troops, and assigned them quarters there. The rest of his soldiers he cantoned in the adjacent villages; so that the members of the diet, while they carried on their deliberations, were surrounded by the same army which had overcome their countrymen. Immediately after his public entry, Charles gave a proof of the violence with which he intended to proceed. He took possession, by force, of the cathedral, together with one of the principal churches; and, his priests having, by various ceremonies, purified them from the pollution with which they supposed the unhallowed ministrations of the Protestants to have defiled them, they re-established with great pomp the rites of the Romish worship.[16]

The concourse of members to this diet was extraordinary: the importance of the affairs concerning which it was to deliberate, added to the fear of giving offence to the emperor by an absence which lay open to misconstruction, brought together almost all the princes, nobles, and representatives of cities who had a right to sit in that assembly. The emperor, in the speech with which he opened the meeting, called their attention immediately to that point which seemed chiefly to merit it. Having mentioned the fatal effects of the religious dissensions which had arisen in Germany, and taken notice of his own unwearied endeavours to procure a general council, which alone could provide a remedy adequate to those evils, he exhorted them to recognize its authority, and to acquiesce in the decisions of an assembly to which they had originally appealed, as having the sole right of judgment in the case.

But the council to which Charles wished them to refer all their controversies had by this time undergone a violent change. The fear and jealousy with which the emperor's first successes against the confederates of Smalkalde had inspired the pope continued to increase. Not satisfied with attempting to retard the progress of the imperial arms by the sudden recall of his troops, Paul began to consider the emperor as an enemy, the weight of whose power he must soon feel, and against whom he could not be too hasty in taking precautions. He foresaw that the immediate effect of the emperor's acquiring absolute power in Germany would be to render him entirely master of all the decisions of the council, if it should continue to meet in Trent. It was dangerous to allow a monarch so ambitious to get the command of this formidable engine, which he might employ at pleasure to limit or to overturn the papal authority. As the only method of preventing this, he determined to remove the council to some city more immediately under his own jurisdiction and at a greater distance from the terror of the emperor's arms or the reach of his influence. An incident fortunately occurred which gave this measure the appearance of being necessary. One or two of the fathers of the

[15] Sleid., 403, 419, 434.—Thuan., lib. iv. 129, 150.—Struv., Corp., ii. [16] Sleid., 435, 437.

council, together with some of their domestics, happening to die suddenly, the physicians, deceived by the symptoms, or suborned by the pope's legates, pronounced the distemper to be infectious and pestilential. Some of the prelates, struck with a panic, retired; others were impatient to be gone; and, after a short consultation, the council was translated to Bologna, a city subject to the pope. All the bishops in the imperial interest warmly opposed this resolution, as taken without necessity and founded on false or frivolous pretexts. All the Spanish prelates, and most of the Neapolitan, by the emperor's express command, remained at Trent; the rest, to the number of thirty-four, accompanying the legates to Bologna. Thus a schism commenced in that very assembly which had been called to heal the divisions of Christendom; the fathers of Bologna inveighed against those who stayed at Trent, as contumacious and regardless of the pope's authority; while the others accused them of being so far intimidated by the fears of imaginary danger as to remove to a place where their consultations could prove of no service towards re-establishing peace and order in Germany.[17]

The emperor, at the same time, employed all his interest to procure the return of the council to Trent. But Paul, who highly applauded his own sagacity in having taken a step which put it out of Charles's power to acquire the direction of that assembly, paid no regard to a request the object of which was so extremely obvious. The summer was consumed in fruitless negotiations with respect to this point, the importunity of the one and obstinacy of the other daily increasing. At last an event happened which widened the breach irreparably, and rendered the pope utterly averse from listening to any proposal that came from the emperor. Charles, as has been already observed, had so violently exasperated Peter Lewis Farnese, the pope's son, by refusing to grant him the investiture of Parma and Placentia, that he had watched ever since that time, with all the vigilance of resentment, for an opportunity of revenging that injury. He had endeavoured to precipitate the pope into open hostilities against the emperor, and had earnestly solicited the king of France to invade Italy. His hatred and resentment extended to all those whom he knew that the emperor favoured; he did every ill office in his power to Gonzaga, governor of Milan, and had encouraged Fiesco in his attempt upon the life of Andrew Doria, because both Gonzaga and Doria possessed a great degree of the emperor's esteem and confidence. His malevolence and secret intrigues were not unknown to the emperor, who could not be more desirous to take vengeance on him than Gonzaga and Doria were to be employed as his instruments in inflicting it. Farnese, by the profligacy of his life, and by enormities of every kind, equal to those committed by the worst tyrants who have disgraced human nature, had rendered himself so odious that it was thought any violence whatever might be lawfully attempted against him. Gonzaga and Doria soon found among his own subjects persons who were eager, and even deemed it meritorious, to lend their hands in such a service. As Farnese, animated with the jealousy which usually possesses petty sovereigns, had employed all the cruelty and fraud whereby they endeavour to supply their defect of power, in order to humble and extirpate the nobility subject to his government, five noblemen of the greatest distinction in Placentia combined to avenge the injuries which they themselves had suffered, as well as those which he had offered to their order. They formed their plan in conjunction with Gonzaga; but it remains uncertain whether he originally suggested the scheme to them, or only approved of what they proposed and co-operated in carrying it on. They concerted all the previous

[17] F. Paul, 248, etc.

steps with such foresight, conducted their intrigues with such secrecy, and displayed such courage in the execution of their design, that it may be ranked among the most audacious deeds of that nature mentioned in history. One body of the conspirators surprised, at mid-day, the gates of the citadel of Placentia, where Farnese resided, overpowered his guards, and murdered him. Another party of them made themselves masters of the town, and called upon their fellow-citizens to take arms in order to recover their liberty. The multitude ran towards the citadel, from which three great guns, a signal concerted with Gonzaga, had been fired; and before they could guess the cause or the authors of the tumult, they saw the lifeless body of the tyrant hanging by the heels from one of the windows of the citadel. But so universally detestable had he become that not one expressed any sentiment of concern at such a sad reverse of fortune, or discovered the least indignation at this ignominious treatment of a sovereign prince. The exultation at the success of the conspiracy was general, and all applauded the actors in it as the deliverers of their country. The body was tumbled into the ditch that surrounded the citadel, and exposed to the insults of the rabble; the rest of the citizens returned to their usual occupations, as if nothing extraordinary had happened.

Before next morning, a body of troops arriving from the frontiers of the Milanese, where they had been posted in expectation of the event, took possession of the city in the emperor's name, and reinstated the inhabitants in the possession of their ancient privileges. Parma, which the imperialists attempted likewise to surprise, was saved by the vigilance and fidelity of the officers whom Farnese had intrusted with the command of the garrison. The death of a son whom, notwithstanding his infamous vices, Paul loved with an excess of parental tenderness, overwhelmed him with the deepest affliction; and the loss of a city of such consequence as Placentia greatly embittered his sorrow. He accused Gonzaga, in open consistory, of having committed a cruel murder in order to prepare the way for an unjust usurpation, and immediately demanded of the emperor satisfaction for both: for the former, by the punishment of Gonzaga; for the latter, by the restitution of Placentia to his grandson Octavio, its rightful owner. But Charles, who, rather than quit a prize of such value, was willing not only to expose himself to the imputation of being accessory to the crime which had given an opportunity of seizing it, but to bear the infamy of defrauding his own son-in-law of the inheritance which belonged to him, eluded all his solicitations, and determined to keep possession of the city, together with its territories.[18]

This resolution, flowing from an ambition so rapacious as to be restrained by no consideration either of decency or justice, transported the pope so far beyond his usual moderation and prudence that he was eager to take arms against the emperor, in order to be avenged on the murderers of his son and to recover the inheritance wrested from his family. Conscious, however, of his own inability to contend with such an enemy, he warmly solicited the French king and the republic of Venice to join in an offensive league against Charles. But Henry was intent at that time on other objects. His ancient allies, the Scots, having been defeated by the English, in one of the greatest battles ever fought between these two rival nations, he was about to send a numerous body of veteran troops into that country, as well to preserve it from being conquered as to gain the acquisition of a new kingdom to the French monarchy, by marrying his son, the dauphin, to the young queen of Scotland. An undertaking accompanied with such manifest advantages, the

[18] F. Paul, 257.—Pallavic., 41, 42.—Thuan., iv. 156.—Mém. de Ribier, 59, 67.—Natalis Comitis Histor., lib. iii. p. 64.

success of which appeared to be so certain, was not to be relinquished for the remote prospect of benefit from an alliance depending upon the precarious life of a pope of fourscore, who had nothing at heart but the gratification of his own private resentment. Instead, therefore, of rushing headlong into the alliance proposed, Henry amused the pope with such general professions and promises as might keep him from any thoughts of endeavouring to accommodate his differences with the emperor, but at the same time he avoided any such engagement as might occasion an immediate rupture with Charles, or precipitate him into a war for which he was not prepared. The Venetians, though much alarmed at seeing Placentia in the hands of the imperialists, imitated the wary conduct of the French king, as it nearly resembled the spirit which usually regulated their own conduct.[19]

But, though the pope found that it was not in his power to kindle immediately the flames of war, he did not forget the injuries which he was obliged for the present to endure; resentment settled deeper in his mind and became more rancorous in proportion as he felt the difficulty of gratifying it. It was while these sentiments of enmity were in full force, and the desire of vengeance at its height, that the diet of Augsburg, by the emperor's command, petitioned the pope, in the name of the whole Germanic body, to enjoin the prelates who had retired to Bologna to return again to Trent and to renew their deliberations in that place. Charles had been at great pains in bringing the members to join in this request. Having observed a considerable variety of sentiments among the Protestants with respect to the submission which he had required to the decrees of the council, some of them being altogether intractable, while others were ready to acknowledge its right of jurisdiction upon certain conditions, he employed all his address in order to gain or to divide them. He threatened and overawed the elector palatine, a weak prince, and afraid that the emperor might inflict on him the punishment to which he had made himself liable by the assistance that he had given to the confederates of Smalkalde. The hope of procuring liberty for the landgrave, together with the formal confirmation of his own electoral dignity, overcame Maurice's scruples, or prevented him from opposing what he knew would be agreeable to the emperor. The elector of Brandenburg, less influenced by religious zeal than any prince of that age, was easily induced to imitate their example in assenting to all that the emperor required. The deputies of the cities remained still to be brought over. They were more tenacious of their principles; and, though everything that could operate either on their hopes or fears was tried, the utmost that they would promise was to acknowledge the jurisdiction of the council, if effectual provision were made for securing to the divines of all parties free access to that assembly, with entire liberty of debate, and if all points in controversy were decided according to Scripture and the usage of the primitive Church. But when the memorial containing this declaration was presented to the emperor, he ventured to put in practice a very extraordinary artifice. Without reading the paper, or taking any notice of the conditions on which they had insisted, he seemed to take it for granted that they had complied with his demand, and gave thanks to the deputies for their full and unreserved submission to the decrees of the council. The deputies, though astonished at what they had heard, did not attempt to set him right, both parties being better pleased that the matter should remain under this state of ambiguity than to push for an explanation which must have occasioned a dispute, and would have led, perhaps, to a rupture.[20]

[19] Mém. de Ribier, ii. 63, 71, 78, 85, 95 — Paruta, Istor. di Venez., 199, 203.—Thuan., iv. 160.

[20] F. Paul, 259.—Sleid., 440.—Thuan., tom. ii. 155.

Having obtained this seeming submission from the members of the diet to the authority of the council, Charles employed that as an argument to enforce their petition for its return to Trent. But the pope, from the satisfaction which he felt in mortifying the emperor, as well as from his own aversion to what was demanded, resolved, without hesitation, that this petition should not be granted; though, in order to avoid the imputation of being influenced wholly by resentment, he had the address to throw it upon the fathers at Bologna to put a direct negative upon the request. With this view, he referred to their consideration the petition of the diet, and they, ready to confirm by their assent whatever the legates were pleased to dictate, declared that the council could not, consistently with its dignity, return to Trent unless the prelates who by remaining there had discovered a schismatic spirit would first repair to Bologna and join their brethren, and that even after their junction the council could not renew its consultations with any prospect of benefit to the Church, if the Germans did not prove their intention of obeying its future decrees to be sincere, by yielding immediate obedience to those which it had already passed.[21]

This answer was communicated to the emperor by the pope, who at the same time exhorted him to comply with demands which appeared to be so reasonable. But Charles was better acquainted with the duplicity of the pope's character than to be deceived by such a gross artifice; he knew that the prelates of Bologna durst utter no sentiment but what Paul inspired; and therefore, overlooking them as mere tools in the hands of another, he considered their reply as a full discovery of the pope's intentions. As he could no longer hope to acquire such an ascendant in the council as to render it subservient to his own plan, he saw it to be necessary that Paul should not have it in his power to turn against him the authority of so venerable an assembly. In order to prevent this, he sent two Spanish lawyers to Bologna, who, in the presence of the legate, protested that the translation of the council to that place had been unnecessary and founded on false or frivolous pretexts; that while it continued to meet there it ought to be deemed an unlawful and schismatical conventicle; that all its decisions ought, of course, to be held as null and invalid; and that, since the pope, together with the corrupt ecclesiastics who depended on him, had abandoned the care of the Church, the emperor, as its protector, would employ all the power which God had committed to him, in order to preserve it from those calamities with which it was threatened. A few days after, the imperial ambassador at Rome demanded an audience of the pope, and, in presence of all the cardinals as well as foreign ministers, protested against the proceedings of the prelates at Bologna, in terms equally harsh and disrespectful.[22]

It was not long before Charles proceeded to carry these threats, which greatly alarmed both the pope and council at Bologna, into execution. He let the diet know the ill success of his endeavours to procure a favourable answer to their petition, and that the pope, equally regardless of their entreaties and of his services to the Church, had refused to gratify them by allowing the council to meet again at Trent; that, though all hope of holding this assembly in a place where they might look for freedom of debate and judgment was not to be given up, the prospect of it was, at present, distant and uncertain; that, in the mean time, Germany was torn in pieces by religious dissensions, the purity of the faith corrupted, and the minds of the people disquieted with a multiplicity of new opinions and controversies, formerly

[21] F. Paul, 250.—Pallav., ii. 49. Goldasti Constit. Imperial., i. 561.
[22] F. Paul, 264.—Pallav., 51—Sleid., 446.—

unknown among Christians; that, moved by the duty which he owed to them as their sovereign and to the Church as its protector, he had employed some divines, of known abilities and learning, to prepare a system of doctrine to which all should conform until a council such as they wished for could be convocated. This system was compiled by Phlug, Helding, and Agricola, of whom the two former were dignitaries in the Romish Church, but remarkable for their pacific and healing spirit; the last was a Protestant divine, suspected, not without reason, of having been gained by bribes and promises to betray or mislead his party on this occasion. The articles presented to the diet at Ratisbon in the year 1541, in order to reconcile the contending parties, served as a model for the present work. But as the emperor's situation was much changed since that time, and he found it no longer necessary to manage the Protestants with the same delicacy as at that juncture, the concessions in their favour were not now so numerous, nor did they extend to points of so much consequence. The treatise contained a complete system of theology, conformable in almost every article to the tenets of the Romish Church, though expressed for the most part in the softest words, or in scriptural phrases, or in terms of studied ambiguity. Every doctrine, however, peculiar to popery was retained, and the observation of all the rites which the Protestants condemned as inventions of men introduced into the worship of God was enjoined. With regard to two points only, some relaxation in the rigour of opinion, as well as some latitude in practice, were admitted. Such ecclesiastics as had married, and would not put away their wives, were allowed, nevertheless, to perform all the functions of their sacred office; and those provinces which had been accustomed to partake of the cup, as well as of the bread, in the sacrament of the Lord's supper, were still indulged in the privilege of receiving both. Even these were declared to be concessions for the sake of peace, and granted only for a season, in compliance with the weakness or prejudices of their countrymen.[23]

This system of doctrine, known afterwards by the name of the *Interim*, because it contained temporary regulations, which were to continue no longer in force than until a free general council could be held, the emperor presented to the diet with a pompous declaration of his sincere intention to re-establish tranquillity and order in the Church, as well as of his hopes that their adopting these regulations would contribute greatly to bring about that desirable event. It was read in presence of the diet, according to form. As soon as it was finished, the archbishop of Mentz, president of the electoral college, rose up hastily, and, having thanked the emperor for his unwearied and pious endeavours in order to restore peace to the Church, he, in the name of the diet, signified their approbation of the system of doctrine which had been read, together with their resolution of conforming to it in every particular. The whole assembly was amazed at a declaration so unprecedented and unconstitutional, as well as at the elector's presumption in pretending to deliver the sense of the diet upon a point which had not hitherto been the subject of consultation or debate; but not one member had the courage to contradict what the elector had said, some being overawed by fear, others remaining silent through complaisance. The emperor held the archbishop's declaration to be a full constitutional ratification of the Interim, and prepared to enforce the observance of it as a decree of the empire.[24]

During this diet, the wife and children of the landgrave, warmly seconded by Maurice of Saxony, endeavoured to interest the members in behalf of that

[23] F. Paul, 270.—Pallav., ii. 60.—Sleid., 453, 457.—Struv., Corp., 1054.—Goldast. Constit. Imper., i. 518.

[24] Sleid., 460.—F. Paul, 273.—Pallav., 63.

unhappy prince, who still languished in confinement. But Charles, who did not choose to be brought under the necessity of rejecting any request that came from such a respectable body, in order to prevent their representations, laid before the diet an account of his transactions with the landgrave, together with the motives which had at first induced him to detain that prince in custody, and which rendered it prudent, as he alleged, to keep him still under restraint. It was no easy matter to give any good reason for an action incapable of being justified; but he thought the most frivolous pretexts might be produced in an assembly the members of which were willing to be deceived and afraid of nothing so much as of discovering that they saw his conduct in its true colours. His account of his own conduct was accordingly admitted to be fully satisfactory, and, after some feeble entreaties that he would extend his clemency to his unfortunate prisoner, the landgrave's concerns were no more mentioned.[25]

In order to counterbalance the unfavourable impression which this inflexible rigour might make, Charles, as a proof that his gratitude was no less permanent and unchangeable than his resentment, invested Maurice in the electoral dignity, with all the legal formalities. The ceremony was performed with extraordinary pomp, in an open court, so near the apartment in which the degraded elector was kept a prisoner that he could view it from his windows. Even this insult did not ruffle his usual tranquillity; and, turning his eyes that way, he beheld a prosperous rival receiving those ensigns of dignity of which he had been stripped, without uttering one sentiment unbecoming the fortitude that he had preserved amidst all his calamities.[26]

Immediately after the dissolution of the diet, the emperor ordered the Interim to be published, in the German as well as Latin language. It met with the usual reception of conciliating schemes when proposed to men heated with disputation. Both parties declaimed against it with equal violence. The Protestants condemned it as a system containing the grossest errors of Popery, disguised with so little art that it could impose only on the most ignorant, or on those who, by wilfully shutting their eyes, favoured the deception; the Papists inveighed against it as a work in which some doctrines of the Church were impiously given up, others meanly concealed, and all of them delivered in terms calculated rather to deceive the unwary than to instruct the ignorant or to reclaim such as were enemies to the truth. While the Lutheran divines fiercely attacked it on one hand, the general of the Dominicans with no less vehemence impugned it on the other. But at Rome, as soon as the contents of the Interim came to be known, the indignation of the courtiers and ecclesiastics rose to the greatest height. They exclaimed against the emperor's profane encroachment on the sacerdotal function in presuming, with the concurrence of an assembly of laymen, to define articles of faith and to regulate modes of worship. They compared this rash deed to that of Uzzah, who with an unhallowed hand had touched the ark of God, or to the bold attempts of those emperors who had rendered their memory detestable by endeavouring to model the Christian Church according to their pleasure. They even affected to find out a resemblance between the emperor's conduct and that of Henry VIII., and expressed their fear of his imitating the example of that apostate, by usurping the title as well as jurisdiction belonging to the head of the Church. All, therefore, contended with one voice that as the foundations of ecclesiastical authority were now shaken, and the whole fabric ready to be overturned by a new enemy, some powerful method of defence must

[25] Sleid., 441.

[26] Thuan., Hist., lib. v. 176.—Struv., Corp., 1054. — Investitura Mauritii a Mammerano Lucembergo descripta, ap. Scardium, ii. 508.

be provided, and a vigorous resistance must be made, in the beginning, before he grew too formidable to be opposed.

The pope, whose judgment was improved by longer experience in great transactions, as well as by a more extensive observation of human affairs, viewed the matter with more acute discernment, and derived comfort from the very circumstance which filled them with apprehension. He was astonished that a prince of such superior sagacity as the emperor should be so intoxicated with a single victory as to imagine that he might give law to mankind, and decide even in those matters with regard to which they are most impatient of dominion. He saw that, by joining any one of the contending parties in Germany, Charles might have had it in his power to have oppressed the other, but that the presumption of success had now inspired him with the vain thought of being able to domineer over both. He foretold that a system which all attacked and none defended could not be of long duration, and that, for this reason, there was no need of his interposing in order to hasten its fall; for as soon as the powerful hand which now upheld it was withdrawn, it would sink of its own accord, and be forgotten for ever.[27]

The emperor, fond of his own plan, adhered to his resolution of carrying it into full execution. But though the elector palatine, the elector of Brandenburg, and Maurice, influenced by the same considerations as formerly, seemed ready to yield implicit obedience to whatever he should enjoin, he met not everywhere with a like obsequious submission. John, marquis of Brandenburg Anspach, although he had taken part with great zeal in the war against the confederates of Smalkalde, refused to renounce doctrines which he held to be sacred; and, reminding the emperor of the repeated promises which he had given his Protestant allies of allowing them the free exercise of their religion, he claimed, in consequence of these, to be exempted from receiving the Interim. Some other princes, also, ventured to mention the same scruples and to plead the same indulgence. But on this, as on other trying occasions, the firmness of the elector of Saxony was more distinguished and merited the highest praise. Charles, well knowing the authority of his example with all the Protestant party, laboured with the utmost earnestness to gain his approbation of the Interim, and, by employing sometimes promises of setting him at liberty, sometimes threats of treating him with greater harshness, attempted alternately to work upon his hopes and his fears. But he was alike regardless of both. After having declared his fixed belief in the doctrines of the Reformation, "I cannot now," said he, "in my old age, abandon the principles for which I early contended; nor, in order to procure freedom during a few declining years, will I betray that good cause on account of which I have suffered so much, and am still willing to suffer. Better for me to enjoy, in this solitude, the esteem of virtuous men, together with the approbation of my own conscience, than to return into the world with the imputation and guilt of apostasy to disgrace and embitter the remainder of my days." By this magnanimous resolution he set his countrymen a pattern of conduct so very different from that which the emperor wished him to have exhibited to them that it drew upon him fresh marks of his displeasure. The rigour of his confinement was increased; the number of his servants abridged; the Lutheran clergymen who had hitherto been permitted to attend him were dismissed; and even the books of devotion which had been his chief consolation during a tedious imprisonment were taken from him.[28] The landgrave of Hesse, his companion in misfortune, did not maintain the same constancy. His patience and fortitude were both so much exhausted by the length of his confinement

[27] Sleid., 468.—F. Paul, 271, 277.—Pallav., ii. 64. [28] Sleid., 462.

that, willing to purchase freedom at any price, he wrote to the emperor, offering not only to approve of the Interim, but to yield an unreserved submission to his will in every other particular. But Charles, who knew that, whatever course the landgrave might hold, neither his example nor authority would prevail on his children or subjects to receive the Interim, paid no regard to his offers. He was kept confined as strictly as ever; and, while he suffered the cruel mortification of having his conduct set in contrast to that of the elector, he derived not the smallest benefit from the mean step which exposed him to such deserved censure.[29]

But it was in the imperial cities that Charles met with the most violent opposition to the Interim. These small commonwealths, the citizens of which were accustomed to liberty and independence, had embraced the doctrines of the Reformation when they were first published, with remarkable eagerness, the bold spirit of innovation being peculiarly suited to the genius of free government. Among them the Protestant teachers had made the greatest number of proselytes. The most eminent divines of the party were settled in them as pastors. By having the direction of the schools and other seminaries of learning, they had trained up disciples who were as well instructed in the articles of their faith as they were zealous to defend them. Such persons were not to be guided by example or swayed by authority; but, having been taught to employ their own understanding in examining and deciding with respect to the points in controversy, they thought that they were both qualified and entitled to judge for themselves. As soon as the contents of the Interim were known, they with one voice joined in refusing to admit it. Augsburg, Ulm, Strasburg, Constance, Bremen, Magdeburg, together with many other towns of less note, presented remonstrances to the emperor, setting forth the irregular and unconstitutional manner in which the Interim had been enacted, and beseeching him not to offer such violence to their consciences as to require their assent to a form of doctrine and worship which appeared to them repugnant to the express precepts of the divine law. But Charles, having prevailed on so many princes of the empire to approve of his new model, was not much moved by the representations of those cities, which, how formidable soever they might have proved if they could have been formed into one body, lay so remote from each other that it was easy to oppress them separately before it was possible for them to unite.

In order to accomplish this, the emperor saw it to be requisite that his measures should be vigorous, and executed with such rapidity as to allow no time for concerting any common plan of opposition. Having laid down this maxim as the rule of his proceedings, his first attempt was upon the city of Augsburg, which, though overawed with the presence of the Spanish troops, he knew to be as much dissatisfied with the Interim as any in the empire. He ordered one body of these troops to seize the gates; he posted the rest in different quarters of the city; and, assembling all the burgesses in the town-hall, he, by his sole absolute authority, published a decree abolishing their present form of government, dissolving all their corporations and fraternities, and nominating a small number of persons, in whom he vested for the future all the powers of government. Each of the persons thus chosen took an oath to observe the Interim. An act of power so unprecedented as well as arbitrary, which excluded the body of the inhabitants from any share in the government of their own community, and subjected them to men who had no other merit than their servile devotion to the emperor's will, gave general disgust; but, as they durst not venture upon resistance, they were obliged to

[29] Sleid, 462.

submit in silence.[30] From Augsburg, in which he left a garrison, he proceeded to Ulm, and, new-modelling its government with the same violent hand, he seized such of their pastors as refused to subscribe the Interim, committed them to prison, and, at his departure, carried them along with him in chains.[31] By this severity he not only secured the reception of the Interim in two of the most powerful cities, but gave warning to the rest what such as continued refractory had to expect. The effect of the example was as great as he could have wished; and many towns, in order to save themselves from the like treatment, found it necessary to comply with what he enjoined. This obedience, extorted by the rigour of authority, produced no change in the sentiments of the Germans, and extended no farther than to make them conform so far to what he required as was barely sufficient to screen them from punishment. The Protestant preachers accompanied those religious rites, the observation of which the Interim prescribed, with such an explication of their tendency as served rather to confirm than to remove the scruples of their hearers with regard to them. The people, many of whom had grown up to mature years since the establishment of the Reformed religion, and had never known any other form of public worship, beheld the pompous pageantry of the popish service with contempt or horror; and in most places the Romish ecclesiastics who returned to take possession of their churches could hardly be protected from insult, or their ministrations from interruption. Thus, notwithstanding the apparent compliance of so many cities, the inhabitants, being accustomed to freedom, submitted with reluctance to the power which now oppressed them. Their understanding as well as inclination revolted against the doctrines and ceremonies imposed on them; and, though for the present they concealed their disgust and resentment, it was evident that these passions could not always be kept under restraint, but would break out at last in effects proportional to their violence.[32]

Charles, however highly pleased with having bent the stubborn spirit of the Germans to such general submission, departed for the Low Countries, fully determined to compel the cities which still stood out to receive the Interim. He carried his two prisoners, the elector of Saxony and landgrave of Hesse, along with him, either because he durst not leave them behind him in Germany, or because he wished to give his countrymen the Flemings this illustrious proof of the success of his arms and the extent of his power. Before Charles arrived at Brussels he was informed that the pope's legates at Bologna had dismissed the council by an indefinite prorogation, and that the prelates assembled there had returned to their respective countries. Necessity had driven the pope into this measure. By the secession of those who had voted against the translation, together with the departure of others, who grew weary of continuing in a place where they were not suffered to proceed to business, so few and such inconsiderable members remained that the pompous appellation of a general council could not with decency be bestowed any longer upon them. Paul had no choice but to dissolve an assembly which was become the object of contempt and exhibited to all Christendom a most glaring proof of the impotence of the Romish see. But, unavoidable as the measure was, it lay open to be unfavourably interpreted, and had the appearance of withdrawing the remedy at the very time when those for whose recovery it was provided were prevailed on to acknowledge its virtue and to make trial of its efficacy. Charles did not fail to put this construction on the conduct of the pope; and by an artful comparison of his own efforts to suppress heresy with Paul's scandalous inattention to a point so essential, he endeavoured to render

[30] Sleid., 469. [31] Ibid., 472. [32] Mém. de Ribier, ii. 218.—Sleid., 491.

the pontiff odious to all zealous Catholics. At the same time, he commanded the prelates of his faction to remain at Trent, that the council might still appear to have a being, and might be ready whenever it was thought expedient to resume its deliberations for the good of the Church.[33]

The motive of Charles's journey to the Low Countries, besides gratifying his favourite passion of travelling from one part of his dominions to another, was to receive Philip, his only son, who was now in the twenty-first year of his age, and whom he had called thither not only that he might be recognized by the states of the Netherlands as heir-apparent, but in order to facilitate the execution of a vast scheme, the object of which, and the reception it met with, shall be hereafter explained. Philip, having left the government of Spain to Maximilian, Ferdinand's eldest son, to whom the emperor had given the princess Mary, his daughter, in marriage, embarked for Italy, attended by a numerous retinue of Spanish nobles.[34] The squadron which escorted him was commanded by Andrew Doria, who, notwithstanding his advanced age, insisted on the honour of performing in person the same duty to the son which he had often discharged towards the father. He landed safely at Genoa; from thence he went to Milan, and, proceeding through Germany, arrived at the imperial court in Brussels. The states of Brabant in the first place, and those of the other provinces in their order, acknowledged his right of succession in common form, and he took the customary oath to preserve all their privileges inviolate.[35] In all the towns of the Low Countries through which Philip passed, he was received with extraordinary pomp. Nothing that could either express the respect of the people or contribute to his amusement was neglected; pageants, tournaments, and public spectacles of every kind were exhibited, with that expensive magnificence which commercial nations are fond of displaying when, on any occasion, they depart from their usual maxims of frugality. But amidst these scenes of festivity and pleasure Philip's natural severity of temper was discernible. Youth itself could not render him agreeable, nor his being a candidate for power form him to courtesy. He maintained a haughty reserve in his behaviour, and discovered such manifest partiality towards his Spanish attendants, together with such an avowed preference to the manners of their country, as highly disgusted the Flemings, and gave rise to that antipathy which afterwards occasioned a revolution fatal to him in that part of his dominions.[36]

Charles was long detained in the Netherlands by a violent attack of the gout, which returned upon him so frequently and with such increasing violence that it had broken, to a great degree, the vigour of his constitution. He nevertheless did not slacken his endeavours to enforce the Interim. The inhabitants of Strasburg, after a long struggle, found it necessary to yield obedience; those of Constance, who had taken arms in their own defence, were compelled not only to conform to the Interim, but to renounce their privileges as a free city, to do homage to Ferdinand as archduke of Austria, and, as his vassals, to admit an Austrian governor and garrison.[37] Magdeburg, Bremen, Hamburg, and Lubeck were the only imperial cities of note that still continued refractory.

[33] Pallav., ii. 72.
[34] Ochoa, Carolea, 362.
[35] Haræi Annal. Brabant., 652.
[36] Mém. de Ribier, ii. 29. — L'Evesque, Mém. du Card. Granvelle, i. 21.
[37] Sleid., 474, 491.

BOOK X.

The Pope's Schemes against the Emperor - Election of Pope Julius III.—Diet at Augsburg—Schemes of Maurice of Saxony against the Emperor—War upon Magdeburg—Council summoned at Trent—Attempt to obtain the Liberation of the Landgrave—Plan of Charles for procuring the Imperial Crown for his Son, Philip—The Pope and Emperor attempt to recover Parma and Placentia—Octavio makes an Alliance with Henry II. of France—Hostilities between Charles and Henry—Henry protests against the Council—Violence of the Emperor against the Protestants—Siege of Magdeburg by Maurice—Martinuzzi favours the Pretensions of Ferdinand to Hungary—He is assassinated by Order of Ferdinand—Maurice makes a Treaty with Henry II. - He demands once more the Liberty of the Landgrave—He amuses the Emperor, and meanwhile makes Preparation for War—He takes the Field—The Emperor endeavours to gain Time by Negotiation—Maurice takes the Castle of Ehrenberg—The Emperor flies from Inspruck—He liberates the Elector of Saxony—The Council of Trent breaks up—The French attack Strasburg—The Operations of Albert of Brandenburg—Negotiations for Peace at Passau at last successful.

While Charles laboured with such unwearied industry to persuade or to force the Protestants to adopt his regulations with respect to religion, the effects of his steadiness in the execution of his plan were rendered less considerable by his rupture with the pope, which daily increased. The firm resolution which the emperor seemed to have taken against restoring Placentia, together with his repeated encroachments on the ecclesiastical jurisdiction, not only by the regulations contained in the Interim, but by his attempt to reassemble the council at Trent, exasperated Paul to the utmost, who, with the weakness incident to old age, grew more attached to his family and more jealous of his authority as he advanced in years. Pushed on by these passions, he made new efforts to draw the French king into an alliance against the emperor ;[1] but, finding that monarch, notwithstanding the hereditary enmity between him and Charles, and the jealousy with which he viewed the successful progress of the imperial arms, as unwilling as formerly to involve himself in immediate hostilities, he was obliged to contract his views, and to think of preventing future encroachments, since it was not in his power to inflict vengeance on account of those which were past. For this purpose, he determined to recall his grant of Parma and Placentia, and, after declaring them to be reannexed to the holy see, to indemnify his grandson Octavio by a new establishment in the ecclesiastical state. By this expedient he hoped to gain two points of no small consequence. He, first of all, rendered his possession of Parma more secure ; as the emperor would be cautious of invading the patrimony of the Church, though he might seize without scruple a town belonging to the house of Farnese. In the next place, he would acquire a better chance of recovering Placentia, as his solicitations to that effect might decently be urged with greater importunity, and would infallibly be attended with greater effect, when he was considered not as pleading the cause of his own family, but as an advocate for the interest of the holy see. But, while Paul was priding himself on this device as a happy refinement in policy,

[1] Mém. de Ribier, ii. 230.

Octavio, an ambitious and high-spirited young man, who could not bear with patience to be spoiled of one half of his territories by the rapaciousness of his father-in-law, and to be deprived of the other by the artifices of his grandfather, took measures in order to prevent the execution of a plan fatal to his interest. He set out secretly from Rome, and, having first endeavoured to surprise Parma, which attempt was frustrated by the fidelity of the governor, to whom the pope had intrusted the defence of the town, he made overtures to the emperor of renouncing all connection with the pope and of depending entirely on him for his future fortune. This unexpected defection of one of the pope's own family to an enemy whom he hated, irritated almost to madness a mind peevish with old age; and there was no degree of severity to which Paul might not have proceeded against a grandson whom he reproached as an unnatural apostate. But, happily for Octavio, death prevented his carrying into execution the harsh resolutions which he had taken with respect to him, and put an end to his pontificate, in the sixteenth year of his administration and the eighty-second of his age.[2]

As this event had been long expected, there was an extraordinary concourse of cardinals at Rome; and, the various competitors having had time to form their parties and to concert their measures, their ambition and intrigues protracted the conclave to a great length. The imperial and French factions strove, with emulation, to promote one of their own number, and had by turns the prospect of success. But as Paul, during a long pontificate, had raised

[2] Among many instances of the credulity or weakness of historians in attributing the death of illustrious personages to extraordinary causes, this is one. Almost all the historians of the sixteenth century affirm that the death of Paul III. was occasioned by the violent passions which the behaviour of his grandson excited; that being informed, while he was refreshing himself in one of his gardens near Rome, of Octavio's attempt on Parma, as well as of his negotiations with the emperor by means of Gonzaga, he fainted away, continued some hours in a swoon, then became feverish, and died within three days. This is the account given of it by Thuanus, lib. vi. 211; Adriani, Istoria de' suoi Tempi, lib. vii. 480; and by Father Paul, 280. Even Cardinal Pallavicini, better informed than any writer with regard to the events which happened in the papal court, and, when not warped by prejudice or system, more accurate in relating them, agrees with their narrative in its chief circumstances. (Pallav., lib. ii. 74.) Paruta, who wrote his history by command of the senate of Venice, relates it in the same manner. (Istorici Venez., vol. iv. 212.) But there was no occasion to search for any extraordinary cause to account for the death of an old man of eighty-two. There remains an authentic account of this event in which we find none of those marvellous circumstances of which the historians are so fond. The cardinal of Ferrara, who was intrusted with the affairs of France at the court of Rome, and M. d'Urfé, Henry's ambassador in ordinary there, wrote an account to that monarch of the affair at Parma, and of the pope's death. By these it appears that Octavio's attempt to surprise Parma was made on the 20th of October; that next day in the evening, and not while he was airing in the gardens of Monte Cavallo, the pope received intelligence of what he had done; that he was seized with such a transport of passion, and cried so bitterly, that his voice was heard in several apartments of the palace; that next day, however, he was so well as to give an audience to the cardinal of Ferrara, and to go through business of different kinds; that Octavio wrote a letter to the pope, not to Cardinal Farnese his brother, intimating his resolution of throwing himself into the arms of the emperor; that the pope received this on the 21st without any new symptoms of emotion, and returned an answer to it; that on the 22nd of October, the day on which the cardinal of Ferrara's letter is dated, the pope was in his usual state of health. (Mém. de Ribier, ii. 247.) By a letter of M. d'Urfé, November 5, it appears that the pope was in such good health that on the 3rd of that month he had celebrated the anniversary of his coronation with the usual solemnities. (Ibid., 251.) By another letter from the same person, we learn that on the 6th of November a catarrh or defluxion fell down on the pope's lungs, with such dangerous symptoms that his life was immediately despaired of. (Ibid., 252.) And by a third letter we are informed that he died November the 10th. In none of these letters is his death imputed to any extraordinary cause. It appears that more than twenty days elapsed between Octavio's attempt on Parma and the death of his grandfather, and that the disease was the natural effect of old age, not one of those occasioned by violence of passion.

many to the purple, and those chiefly persons of eminent abilities, as well as zealously devoted to his family, Cardinal Farnese had the command of a powerful and united squadron, by whose address and firmness he exalted to the papal throne the Cardinal di Monte, whom Paul had employed as his principal legate in the council of Trent and trusted with his most secret intentions. He assumed the name of Julius III., and, in order to express his gratitude towards his benefactor, the first act of his administration was to put Octavio Farnese in possession of Parma. When the injury which he did to the holy see by alienating a territory of such value was mentioned by some of the cardinals, he briskly replied, "That he would rather be a poor pope, with the reputation of a gentleman, than a rich one, with the infamy of having forgotten the obligations conferred upon him and the promises which he had made."[3] But all the lustre of this candour or generosity he quickly effaced by an action most shockingly indecent. According to an ancient and established practice, every pope upon his election considers it as his privilege to bestow on whom he pleases the cardinal's hat which falls to be disposed of by his being invested with the triple crown. Julius, to the astonishment of the sacred college, conferred this mark of distinction, together with ample ecclesiastical revenues and the right of bearing his name and arms, upon one Innocent, a youth of sixteen, born of obscure parents, and known by the name of the Ape, from his having been trusted with the care of an animal of that species in the Cardinal di Monte's family. Such a prostitution of the highest dignity in the Church would have given offence even in those dark periods when the credulous superstition of the people emboldened ecclesiastics to venture on the most flagrant violations of decorum. But in an enlightened age, when by the progress of knowledge and philosophy the obligations of duty and decency were better understood, when a blind veneration for the pontifical character was everywhere abated, and one-half of Christendom in open rebellion against the papal see, this action was viewed with horror. Rome was immediately filled with libels and pasquinades, which imputed the pope's extravagant regard for such an unworthy object to the most criminal passions. The Protestants exclaimed against the absurdity of supposing that the infallible spirit of divine truth could dwell in a breast so impure, and called more loudly than ever, and with greater appearance of justice, for the immediate and thorough reformation of a Church the head of which was a disgrace to the Christian name.[4] The rest of the pope's conduct was of a piece with this first specimen of his dispositions. Having now reached the summit of ecclesiastical ambition, he seemed eager to indemnify himself by an unrestrained indulgence of his desires for the self-denial or dissimulation which he had thought it prudent to practise while in a subordinate station. He became careless to so great a degree of all serious business that he could seldom be brought to attend to it but in cases of extreme necessity; and, giving up himself to amusements and dissipation of every kind, he imitated the luxurious elegance of Leo, rather than the severe virtue of Adrian, the latter of which it was necessary to display in contending with a sect which derived great credit from the rigid and austere manners of its teachers.[5]

The pope, however ready to fulfil his engagements to the family of Farnese, discovered no inclination to observe the oath which each cardinal had taken when he entered the conclave, that if the choice should fall on him he would immediately call the council to reassume its deliberations. Julius knew by experience how difficult it was to confine such a body of men within the narrow

[3] Mém. de Ribier.
[4] Sleid., 492.—F. Paul, 281.—Pallavic., ii. 76.—Thuan., lib. vi. 215.
[5] F. Paul, 281.

limits which it was the interest of the see of Rome to prescribe, and how easily the zeal of some members, the rashness of others, or the suggestions of the princes on whom they depended, might precipitate a popular and ungovernable assembly into forbidden inquiries as well as dangerous decisions. He wished, for these reasons, to have eluded the obligation of his oath, and gave an ambiguous answer to the first proposals which were made to him by the emperor with regard to that matter. But Charles, either from his natural obstinacy in adhering to the measures which he had once adopted, or from the mere pride of accomplishing what was held to be almost impossible, persisted in his resolution of forcing the Protestants to return into the bosom of the Church. Having persuaded himself that the authoritative decisions of the council might be employed with efficacy in combating their prejudices, he, in consequence of that persuasion, continued to solicit earnestly that a new bull of convocation might be issued; and the pope could not with decency reject that request. When Julius found that he could not prevent the calling of a council, he endeavoured to take to himself all the merit of having procured the meeting of an assembly which was the object of such general desire and expectation. A congregation of cardinals, to whom he referred the consideration of what was necessary for restoring peace to the Church, recommended, by his direction, the speedy convocation of a council as the most effectual expedient for that purpose; and, as the new heresies raged with the greatest violence in Germany, they proposed Trent as the place of its meeting, that, by a near inspection of the evil, the remedy might be applied with greater discernment and certainty of success. The pope warmly approved of this advice, which he himself had dictated, and sent nuncios to the imperial and French courts, in order to make known his intentions.[6]

About this time the emperor had summoned a new diet to meet at Augsburg, in order to enforce the observation of the Interim, and to procure a more authentic act of the supreme court in the empire, acknowledging the jurisdiction of the council, as well as an explicit promise of conforming to its decrees. He appeared there in person, together with his son, the prince of Spain. Few electors were present, but all sent deputies in their name. Charles, notwithstanding the despotic authority with which he had given law in the empire during two years, knew that the spirit of independence among the Germans was not entirely subdued, and for that reason took care to overawe the diet by a considerable body of Spanish troops which escorted him thither. The first point submitted to the consideration of the diet was the necessity of holding a council. All the popish members agreed, without difficulty, that the meeting of that assembly should be renewed at Trent, and promised an implicit acquiescence in its decrees. The Protestants, intimidated and disunited, must have followed their example, and the resolution of the diet would have proved unanimous, if Maurice of Saxony had not begun at this time to disclose new intentions, and to act a part very different from that which he had so long assumed.

By an artful dissimulation of his own sentiments, by address in paying court to the emperor, and by the seeming zeal with which he forwarded all his ambitious schemes, Maurice had raised himself to the electoral dignity; and, having added the dominions of the elder branch of the Saxon family to his own, he was become the most powerful prince in Germany. But his long and intimate union with the emperor had afforded him many opportunities of observing narrowly the dangerous tendency of that monarch's schemes. He saw the yoke that was preparing for his country, and, from the rapid as well

[6] F. Paul, 281.—Pallav., ii. 77.

as formidable progress of the imperial power, was convinced that but a few steps more remained to be taken in order to render Charles as absolute a monarch in Germany as he had become in Spain. The more eminent the condition was to which he himself had been exalted, the more solicitous did Maurice naturally become to maintain all its rights and privileges, and the more did he dread the thoughts of descending from the rank of a prince, almost independent, to that of a vassal subject to the commands of a master. At the same time, he perceived that Charles was bent on exacting a rigid conformity to the doctrines and rites of the Romish Church, instead of allowing liberty of conscience, the promise of which had allured several Protestant princes to assist him in the war against the confederates of Smalkalde. As he himself, notwithstanding all the compliances which he had made from motives of interest or an excess of confidence in the emperor, was sincerely attached to the Lutheran tenets, he determined not to be a tame spectator of the overthrow of a system which he believed to be founded in truth.

This resolution, flowing from the love of liberty or zeal for religion, was strengthened by political and interested considerations. In that elevated station in which Maurice was now placed, new and more extensive prospects opened to his view. His rank and power entitled him to be the head of the Protestants in the empire. His predecessor, the degraded elector, with inferior abilities, and territories less considerable, had acquired such an ascendant over the councils of the party ; and Maurice neither wanted discernment to see the advantage of this pre-eminence, nor ambition to aim at attaining it. But he found himself in a situation which rendered the attempt no less difficult than the object of it was important. On the one hand, the connection which he had formed with the emperor was so intimate that he could scarcely hope to take any step which tended to dissolve it, without alarming his jealousy and drawing on himself the whole weight of that power which had crushed the greatest confederacy ever formed in Germany. On the other hand, the calamities which he had brought on the Protestant party were so recent, as well as great, that it seemed almost impossible to regain their confidence, or to rally and reanimate a body after he himself had been the chief instrument in breaking its union and vigour. These considerations were sufficient to have discouraged any person of a spirit less adventurous than Maurice's. But to him the grandeur and difficulty of the enterprise were allurements ; and he boldly resolved on measures the idea of which a genius of an inferior order could not have conceived, or would have trembled at the thoughts of the danger that attended the execution of them.

His passions concurred with his interest in confirming this resolution ; and the resentment excited by an injury which he sensibly felt added new force to the motives for opposing the emperor which sound policy suggested. Maurice, by his authority, had prevailed on the landgrave of Hesse to put his person in the emperor's power, and had obtained a promise from the imperial ministers that he should not be detained a prisoner. This had been violated in the manner already related. The unhappy landgrave exclaimed as loudly against his son-in-law as against Charles. The princes of Hesse required Maurice to fulfil his engagements to their father, who had lost his liberty by trusting to him ; and all Germany suspected him of having betrayed to an implacable enemy the friend whom he was most bound to protect. Roused by these solicitations or reproaches, as well as prompted by duty and affection to his father-in-law, Maurice had employed not only entreaties, but remonstrances, in order to procure his release. All these Charles had disregarded ; and the shame of having been first deceived and then slighted by a prince

whom he had served with zeal as well as success, which merited a very different return, made such a deep impression on Maurice that he waited with impatience for an opportunity of being revenged.

The utmost caution as well as the most delicate address were requisite in taking every step towards this end; as he had to guard, on the one hand, against giving a premature alarm to the emperor, while, on the other, something considerable and explicit was necessary to be done in order to regain the confidence of the Protestant party. Maurice had accordingly applied all his powers of art and dissimulation to attain both these points. As he knew Charles to be inflexible with regard to the submission which he required to the Interim, he did not hesitate one moment whether he should establish that form of doctrine and worship in his dominions; but, being sensible how odious it was to his subjects, instead of violently imposing it on them by the mere terror of authority, as had been done in other parts of Germany, he endeavoured to render their obedience a voluntary deed of their own. For this purpose, he had assembled the clergy of his country at Leipsic, and had laid the Interim before them, together with the reasons which made it necessary to conform to it. He had gained some of them by promises, others he had wrought upon by threats, and all were intimidated by the rigour with which obedience to the Interim was extorted in the neighbouring provinces. Even Melancthon, whose merit of every kind entitled him to the first place among the Protestant divines, being now deprived of the manly counsels of Luther, which were wont to inspire him with fortitude and to preserve him steady amidst the storms and dangers that threatened the Church, was seduced into unwarrantable concessions, by the timidity of his temper, his fond desire of peace, and his excessive complaisance towards persons of high rank. By his arguments and authority, no less than by Maurice's address, the assembly was prevailed on to declare "that, in points which were purely indifferent, obedience was due to the commands of a lawful superior." Founding upon this maxim, no less uncontrovertible in theory than dangerous when carried into practice, especially in religious matters, many of the Protestant ecclesiastics whom Maurice consulted proceeded to class among the number of things indifferent several doctrines which Luther had pointed out as gross and pernicious errors in the Romish creed; and, placing in the same rank many of those rites which distinguished the reformed from the popish worship, they exhorted their people to comply with the emperor's injunctions concerning these particulars.[7]

By this dexterous conduct, the introduction of the Interim excited none of those violent convulsions in Saxony which it occasioned in other provinces. But, though the Saxons submitted, the more zealous Lutherans exclaimed against Melancthon and his associates as false brethren, who were either so wicked as to apostatize from the truth altogether, or so crafty as to betray it by subtle distinctions, or so feeble-spirited as to give it up from pusillanimity and criminal complaisance to a prince capable of sacrificing to his political interest that which he himself regarded as most sacred. Maurice, being conscious what a colour of probability his past conduct gave to those accusations, as well as afraid of losing entirely the confidence of the Protestants, issued a declaration containing professions of his zealous attachment to the reformed religion, and of his resolution to guard against all the errors or encroachments of the papal see.[8]

Having gone so far in order to remove the fears and jealousies of the

[7] Sleid., 481, 485.—Jo. Laur. Moshemii Institutionum Hist. Ecclesiasticæ, lib. iv., Helmst., 1755, 4to, p. 748.—Jo. And. Schmidii Historia Interimistica, p. 70, etc., Helmst., 1730.

[8] Sleid., 485.

Protestants, he found it necessary to efface the impression which such a declaration might make upon the emperor. For that purpose, he not only renewed his professions of an inviolable adherence to his alliance with him, but, as the city of Magdeburg still persisted in rejecting the Interim, he undertook to reduce it to obedience, and instantly set about levying troops to be employed in that service. This damped all the hopes which the Protestants began to conceive of Maurice in consequence of his declaration, and left them more than ever at a loss to guess at his real intentions. Their former suspicion and distrust of him revived, and the divines of Magdeburg filled Germany with writings in which they represented him as the most formidable enemy of the Protestant religion, who treacherously assumed an appearance of zeal for its interest, that he might more effectually execute his schemes for its destruction.

This charge, supported by the evidence of recent facts, as well as by his present dubious conduct, gained such universal credit that Maurice was obliged to take a vigorous step in his own vindication. As soon as the reassembling of the council of Trent was proposed in the diet, his ambassadors protested that their master would not acknowledge its authority unless all the points which had been already decided there were reviewed and considered as still undetermined; unless the Protestant divines had a full hearing granted them and were allowed a decisive voice in the council; and unless the pope renounced his pretensions to preside in the council, engage to submit to its decrees, and to absolve the bishops from their oath of obedience, that they might deliver their sentiments with greater freedom. These demands, which were higher than any that the Reformers had ventured to make, even when the zeal of their party was warmest or their affairs most prosperous, counterbalanced in some degree the impression which Maurice's preparations against Magdeburg had made upon the minds of the Protestants, and kept them in suspense with regard to his designs. At the same time, he had dexterity enough to represent this part of his conduct in such a light to the emperor that it gave him no offence, and occasioned no interruption of the strict confidence which subsisted between them. What the pretexts were which he employed, in order to give such a bold declaration an innocent appearance, the contemporary historians have not explained. That they imposed upon Charles is certain, for he still continued not only to prosecute his plan, as well concerning the Interim as the council, with the same ardour, but to place the same confidence in Maurice with regard to the execution of both.

The pope's resolution concerning the council not being yet known at Augsburg, the chief business of the diet was to enforce the observation of the Interim. As the senate of Magdeburg, notwithstanding various endeavours to frighten or to soothe them into compliance, not only persevered obstinately in their opposition to the Interim, but began to strengthen the fortifications of their city and to levy troops in their own defence, Charles required the diet to assist him in quelling this audacious rebellion against a decree of the empire. Had the members of the diet been left to act agreeably to their own inclination, this demand would have been rejected without hesitation. All the Germans who favoured in any degree the new opinions in religion, and many who were influenced by no other consideration than jealousy of the emperor's growing power, regarded this effort of the citizens of Magdeburg as a noble stand for the liberties of their country. Even such as had not resolution to exert the same spirit admired the gallantry of their enterprise and wished it success. But the presence of the Spanish troops, together with the dread of the emperor's displeasure, overawed the members of the diet to such a degree that, without venturing to utter their own sentiments, they tamely ratified by

their votes whatever the emperor was pleased to prescribe. The rigorous decrees which Charles had issued by his own authority against the Magdeburghers were confirmed; a resolution was taken to raise troops in order to besiege the city in form; and persons were named to fix the contingent in men or money to be furnished by each state. At the same time, the diet petitioned that Maurice might be intrusted with the command of that army; to which Charles gave his consent with great alacrity and with high encomiums upon the wisdom of the choice which they had made.[9] As Maurice conducted all his schemes with profound and impenetrable secrecy, it is probable that he took no step avowedly in order to obtain this charge. The recommendation of his countrymen was either purely accidental, or flowed from the opinion generally entertained of his great abilities; and neither the diet had any foresight nor the emperor any dread of the consequences which followed upon this nomination. Maurice accepted without hesitation the command to which he was recommended, instantly discerning the important advantages which he might derive from having it committed to him.

Meanwhile, Julius, in preparing the bull for the convocation of the council, observed all those tedious forms which the court of Rome can artfully employ to retard any disagreeable measure. At last, however, it was published, and the council was summoned to meet at Trent on the first day of the ensuing month of May. As he knew that many of the Germans rejected or disputed the authority and jurisdiction which the papal see claims with respect to general councils, he took care, in the preamble of the bull, to assert, in the strongest terms, his own right not only to call and preside in that assembly, but to direct its proceedings; nor would he soften these expressions in any degree, in compliance with the repeated solicitations of the emperor, who foresaw what offence they would give and what construction might be put on them. They were censured accordingly with great severity by several members of the diet; but, whatever disgust or suspicion they excited, such complete influence over all their deliberations had the emperor acquired that he procured a recess in which the authority of the council was recognized and declared to be the proper remedy for the evils which at that time afflicted the Church. All the princes and states of the empire, such as had made innovations in religion, as well as those who adhered to the system of their forefathers, were required to send their representatives to the council; the emperor engaged to grant a safe-conduct to such as demanded it, and to secure them an impartial hearing in the council; he promised to fix his residence in some city of the empire in the neighbourhood of Trent, that he might protect the members of the council by his presence, and take care that, by conducting their deliberations agreeably to Scripture and the doctrine of the fathers, they might bring them to a desirable issue. In this recess the observation of the Interim was more strongly enjoined than ever; and the emperor threatened all who had hitherto neglected or refused to conform to it with the severest effects of his vengeance if they persisted in their disobedience.[10]

During the meeting of this diet a new attempt was made in order to procure liberty to the landgrave. That prince, nowise reconciled to his situation by time, grew every day more impatient of restraint. Having often applied to Maurice and the elector of Brandenburg, who took every occasion of soliciting the emperor in his behalf, though without any effect, he now commanded his sons to summon them, with legal formality, to perform what was contained in

[9] Sleid., 503, 512.

[10] Sle.d., 512.—Thuan., lib. vi. 233.—Goldasti Constit. Imperiales, vol. ii. 340.

the bond which they had granted him, by surrendering themselves into their hands to be treated with the same rigour as the emperor had used him. This furnished them with a fresh pretext for renewing their application to the emperor, together with an additional argument to enforce it. Charles firmly resolved not to grant their request; though at the same time, being extremely desirous to be delivered from their incessant importunity, he endeavoured to prevail on the landgrave to give up the bond which he had received from the two electors. But, that prince refusing to part with a security which he deemed essential to his safety, the emperor boldly cut the knot which he could not untie, and, by a public deed, annulled the bond which Maurice and the elector of Brandenburg had granted, absolving them from all their engagements to the landgrave. No pretension to a power so pernicious to society as that of abrogating at pleasure the most sacred laws of honour and most formal obligations of public faith had hitherto been formed by any but the Roman pontiffs, who, in consequence of their claim to supreme power on earth, arrogate the right of dispensing with precepts and duties of every kind. All Germany was filled with astonishment when Charles assumed the same prerogative. The state of subjection to which the empire was reduced appeared to be more rigorous, as well as intolerable, than that of the most wretched and enslaved nations, if the emperor by an arbitrary decree might cancel those solemn contracts which are the foundation of that mutual confidence whereby men are held together in social union. The landgrave himself now gave up all hopes of recovering his liberty by the emperor's consent, and endeavoured to procure it by his own address. But, the plan which he had formed to deceive his guards being discovered, such of his attendants as he had gained to favour his escape were put to death, and he was confined in the citadel of Mechlin more closely than ever.[11]

Another transaction was carried on during this diet, with respect to an affair more nearly interesting to the emperor, and which occasioned likewise a general alarm among the princes of the empire. Charles, though formed with talents which fitted him for conceiving and conducting great designs, was not capable, as has been often observed, of bearing extraordinary success. Its operation on his mind was so violent and intoxicating that it elevated him beyond what was moderate or attainable, and turned his whole attention to the pursuit of vast but chimerical objects. Such had been the effect of his victory over the confederates of Smalkalde. He did not long rest satisfied with the substantial and certain advantages which were the result of that event, but, despising these, as poor or inconsiderable fruits of such great success, he aimed at nothing less than at bringing all Germany to an uniformity in religion and at rendering the imperial power despotic. These were objects extremely splendid indeed, and alluring to an ambitious mind: the pursuit of them, however, was attended with manifest danger, and the hope of attaining them very uncertain. But the steps which he had already taken towards them having been accompanied with such success, his imagination, warmed with contemplating this alluring object, overlooked or despised all remaining difficulties. As he conceived the execution of his plan to be certain, he began to be solicitous how he might render the possession of such an important acquisition perpetual in his family, by transmitting the German empire, together with the kingdoms of Spain, and his dominions in Italy and the Low Countries, to his son. Having long revolved this flattering idea in his mind, without communicating it even to those ministers whom he most trusted, he

[11] Sleid., 504.—Thuan., lib. vi. 234, 235.

had called Philip out of Spain, in hopes that his presence would facilitate the carrying forward the scheme.

Great obstacles, however, and such as would have deterred any ambition less accustomed to overcome difficulties, were to be surmounted. He had, in the year 1530, imprudently assisted in procuring his brother Ferdinand the dignity of king of the Romans, and there was no probability that this prince, who was still in the prime of life, and had a son grown up to the years of manhood, would relinquish, in favour of his nephew, the near prospect of the imperial throne, which Charles's infirmities and declining state of health opened to himself. This did not deter the emperor from venturing to make the proposition; and when Ferdinand, notwithstanding his profound reverence for his brother and obsequious submission to his will in other instances, rejected it in a peremptory tone, he was not discouraged by one repulse. He renewed his applications to him by his sister, Mary, queen of Hungary, to whom Ferdinand stood indebted for the crowns both of Hungary and Bohemia, and who, by her great abilities, tempered with extreme gentleness of disposition, had acquired an extraordinary influence over both the brothers. She entered warmly into a measure which tended so manifestly to aggrandize the house of Austria; and, flattering herself that she could tempt Ferdinand to renounce the reversionary possession of the imperial dignity for an immediate establishment, she assured him that the emperor, by way of compensation for his giving up his chance of succession, would instantly bestow upon him territories of very considerable value, and pointed out in particular those of the duke of Wurtemberg, which might be confiscated upon different pretexts. But neither by her address nor entreaties could she induce Ferdinand to approve of a plan which would not only have degraded him from the highest rank among the monarchs of Europe to that of a subordinate and dependent prince, but would have involved both him and his posterity in perpetual contests. He was, at the same time, more attached to his children than by a rash concession to frustrate all the high hopes in prospect of which they had been educated.

Notwithstanding the immovable firmness which Ferdinand discovered, the emperor did not abandon his scheme. He flattered himself that he might attain the object in view by another channel, and that it was not impossible to prevail on the electors to cancel their former choice of Ferdinand, or at least to elect Philip a second king of the Romans, substituting him as next in succession to his uncle. With this view, he took Philip along with him to the diet, that the Germans might have an opportunity to observe and become acquainted with the prince in behalf of whom he courted their interest; and he himself employed all the arts of address or insinuation to gain the electors and to prepare them for listening with a favourable ear to the proposal. But no sooner did he venture upon mentioning it to them than they at once saw and trembled at the consequences with which it would be attended. They had long felt all the inconveniences of having placed at the head of the empire a prince whose power and dominions were so extensive: if they should now repeat the folly, and continue the imperial crown, like an hereditary dignity, in the same family, they foresaw that they would give the son an opportunity of carrying on that system of oppression which the father had begun, and would put it in his power to overturn whatever was yet left entire in the ancient and venerable fabric of the German constitution.

The character of the prince in whose favour this extraordinary proposition was made rendered it still less agreeable. Philip, though possessed with an insatiable desire of power, was a stranger to all the arts of conciliating good will. Haughty, reserved, and severe, he, instead of gaining new friends, dis-

gusted the ancient and most devoted partisans of the Austrian interest. He scorned to take the trouble of acquiring the language of the country to the goverment of which he aspired; nor would he condescend to pay the Germans the compliment of accommodating himself, during his residence among them, to their manners and customs. He allowed the electors and most illustrious princs in Germany to remain in his presence uncovered, affecting a stately and distant demeanour which the greatest of the German emperors, and even Charles himself, amidst the pride of power and victory, had never assumed.[12] On the other hand, Ferdinand, from the time of his arrival in Germany, had studied to render himself acceptable to the people by a conformity to their manners, which seemed to flow from choice; and his son Maximilian, who was born in Germany, possessed in an eminent degree such amiable qualities as rendered him the darling of his countrymen and induced them to look forward to his election as a most desirable event. Their esteem and affection for him fortified the resolution which sound policy had suggested, and determined the Germans to prefer the popular virtues of Ferdinand and his son to the stubborn austerity of Philip, which interest could not soften nor ambition teach him to disguise. All the electors, the ecclesiastical as well as secular, concurred in expressing such strong disapprobation of the measure that Charles, notwithstanding the reluctance with which he gave up any point, was obliged to drop the scheme as impracticable. By his unseasonable perseverance in pushing it, he had not only filled the Germans with new jealousy of his ambitious designs, but laid the foundation of rivalship and discord in the Austrian family, and forced his brother Ferdinand, in self-defence, to court the electors, particularly Maurice of Saxony, and to form such connections with them as cut off all prospect of renewing the proposal with success. Philip, soured by his disappointment, was sent back to Spain, to be called thence when any new scheme of ambition should render his presence necessary.[13]

Having relinquished this plan of domestic ambition, which had long occupied and engrossed him, Charles imagined that he would now have leisure to turn all his attention towards his grand scheme of establishing uniformity of religion in the empire, by forcing all the contending parties to acquiesce in the decisions of the council of Trent. But such was the extent of his dominions, the variety of connections in which this entangled him, and the multiplicity of events to which these gave rise, as seldom allowed him to apply his whole force to any one object. The machine which he had to conduct was so great and complicated that an unforeseen irregularity or obstruction in one of the inferior wheels often disconcerted the motion of the whole, and prevented his deriving from them all the beneficial effects which he expected. Such an unlooked-for occurrence happened at this juncture, and created new obstacles to the execution of his schemes with regard to religion. Julius III., though he had confirmed Octavio Farnese in the possession of the duchy of Parma, during the first effusions of his joy and gratitude on his promotion to the papal throne, soon began to repent of his own generosity, and to be apprehensive of consequences which either he did not foresee or had disregarded while the sense of his obligations to the family of Farnese was recent. The emperor still retained Placentia in his hands, and had not relinquished his pretensions to Parma as a fief of the empire. Gonzaga, the governor of Milan, having, by the part which he took in the murder of the late duke, Peter Ludovico, offered an insult to the family of Farnese which he knew

[12] Frediman Andreæ Zulich Dissertatio Politico-Historica de Nævis politicis Caroli V., Lips., 1706, 4to, p. 21.

[13] Sleid., 505.—Thuan., 180, 238.—Mém. de Ribier, ii. 219, 281, 314.—Adriani, Istor., lib. viii. 507, 520.

could never be forgiven, had for that reason avowed its destruction, and employed all the influence which his great abilities as well as long services gave him with the emperor, in persuading him to seize Parma by force of arms. Charles, in compliance with his solicitations, and that he might gratify his own desire of annexing Parma to the Milanese, listened to the proposal; and Gonzaga, ready to take encouragement from the slightest appearance of approbation, began to assemble troops, and to make other preparations for the execution of his scheme.

Octavio, who saw the impending danger, found it necessary for his own safety to increase the garrison of his capital, and to levy soldiers for defending the rest of the country. But, as the expense of such an effort far exceeded his scanty revenues, he represented his situation to the pope, and implored that protection and assistance which was due to him as a vassal of the Church. The imperial minister, however, had already preoccupied the pope's ear, and, by discoursing continually concerning the danger of giving offence to the emperor, as well as the imprudence of supporting Octavio in an usurpation so detrimental to the holy see, had totally alienated him from the family of Farnese. Octavio's remonstrance and petition met, of consequence, with a cold reception; and he, despairing of any assistance from Julius, began to look round for protection from some other quarter. Henry II. of France was the only prince powerful enough to afford him this protection, and, fortunately, he was now in a situation which allowed him to grant it. He had brought his transactions with the two British kingdoms, which had hitherto diverted his attention from the affairs of the continent, to such an issue as he desired. This he had effected partly by the vigour of his arms, partly by his dexterity in taking advantage of the political factions which raged in both kingdoms to such a degree as rendered the councils of the Scots violent and precipitate and the operations of the English feeble and unsteady. He had procured from the English favourable conditions of peace for his allies the Scots; he had prevailed on the nobles of Scotland not only to affiance their young queen to his son, the dauphin, but even to send her into France, that she might be educated under his eye, and had recovered Boulogne, together with its dependencies, which had been conquered by Henry VIII.

The French king, having gained points of so much consequence to his crown and disengaged himself with such honour from the burden of supporting the Scots and maintaining a war against England, was now at full leisure to pursue the measures which his hereditary jealousy of the emperor's power naturally suggested. He listened, accordingly, to the first overtures which Octavio Farnese made him; and, embracing eagerly an opportunity of recovering footing in Italy, he instantly concluded a treaty, in which he bound himself to espouse his cause and to furnish him all the assistance which he desired. This transaction could not long be kept secret from the pope, who, foreseeing the calamities which must follow if war were rekindled so near the ecclesiastical state, immediately issued monitory letters requiring Octavio to relinquish his new alliance. Upon his refusal to comply with the requisition, he soon after pronounced his fief to be forfeited, and declared war against him as a disobedient and rebellious vassal. But, as with his own forces alone he could not hope to subdue Octavio while supported by such a powerful ally as the king of France, he had recourse to the emperor, who, being extremely solicitous to prevent the establishment of the French in Parma, ordered Gonzaga to second Julius with all his troops. Thus the French took the field as the allies of Octavio, the imperialists as the protectors of the holy see, and hostilities commenced between them, while

Charles and Henry themselves still affected to give out that they would adhere inviolably to the peace of Crespy. The war of Parma was not distinguished by any memorable event. Many small rencounters happened, with alternate success; the French ravaged part of the ecclesiastical territories; the imperialists laid waste the Parmesan; and the latter, after having begun to besiege Parma in form, were obliged to abandon the enterprise with disgrace.[14]

But the motions and alarm which this war, or the preparations for it, occasioned in Italy, prevented most of the Italian prelates from repairing to Trent on the first of May, the day appointed for reassembling the council; and though the papal legates and nuncios resorted thither, they were obliged to adjourn the council to the first of September, hoping such a number of prelates might then assemble that they might with decency begin their deliberations. At that time about sixty prelates, mostly from the ecclesiastical state, or from Spain, together with a few Germans, convened.[15] The session was opened with the accustomed formalities, and the fathers were about to proceed to business, when the abbot of Bellozane appeared, and, presenting letters of credence as ambassador from the king of France, demanded audience. Having obtained it, he protested, in Henry's name, against an assembly called at such an improper juncture, when a war wantonly kindled by the pope made it impossible for the deputies from the Gallican Church to resort to Trent in safety, or to deliberate concerning articles of faith and discipline with the requisite tranquillity; he declared that his master did not acknowledge this to be a general or œcumenic council, but must consider and would treat it as a particular and partial convention.[16] The legate affected to despise this protest; and the prelates proceeded, notwithstanding, to examine and decide the great points in controversy concerning the sacrament of the Lord's supper, penance, and extreme unction. This measure of the French monarch, however, gave a deep wound to the credit of the council at the very commencement of its deliberations. The Germans could not pay much regard to an assembly the authority of which the second prince in Christendom had formally disclaimed, or feel any great reverence for the decisions of a few men, who arrogated to themselves all the rights belonging to the representatives of the Church universal, a title to which they had such poor pretensions.

The emperor, nevertheless, was straining his authority to the utmost in order to establish the reputation and jurisdiction of the council. He had prevailed on the three ecclesiastical electors, the prelates of greatest power and dignity in the Church, next to the pope, to repair thither in person. He had obliged several German bishops of inferior rank to go to Trent themselves, or to send their proxies. He granted an imperial safe-conduct to the ambassadors nominated by the elector of Brandenburg, the duke of Wurtemberg, and other Protestants, to attend the council, and exhorted them to send their divines thither, in order to propound, explain, and defend their doctrine. At the same time, his zeal anticipated the decrees of the council; and, as if the opinions of the Protestants had already been condemned, he took large steps towards exterminating them. With this intention, he called together the ministers of Augsburg, and, after interrogating them concerning several controverted points, enjoined them to teach nothing with respect to these contrary to the tenets of the Romish Church. Upon their declining to comply with a requisition so contrary to the dictates of their consciences, he commanded them to leave the town in three days, without revealing to any person

[14] Adriani, Istor., lib. viii. 505, 514, 524.—Sleid., 513.—Paruta, p. 220.—Lettere del Caro scritte al nome del Card. Farnese, tom. ii. p. 11, etc.

[15] F. Paul, 268.

[16] Sleid., 518.—Thuan., 282.—F. Paul, 301.

the cause of their banishment; he prohibited them to preach for the future in any province of the empire, and obliged them to take an oath that they would punctually obey these injunctions. They were not the only victims to his zeal. The Protestant clergy in most of the cities in the circle of Swabia were ejected with the same violence; and in many places such magistrates as had distinguished themselves by their attachment to the new opinions were dismissed with the most abrupt irregularity, and their offices filled, in consequence of the emperor's arbitrary appointment, with the most bigoted of their adversaries. The reformed worship was almost entirely suppressed throughout that extensive province. The ancient and fundamental privileges of the free cities were violated. The people were compelled to attend the ministration of priests whom they regarded with horror as idolaters, and to submit to the jurisdiction of magistrates whom they detested as usurpers.[17]

The emperor, after this discovery, which was more explicit than any that he had hitherto made, of his intention to subvert the German constitution as well as to extirpate the Protestant religion, set out for Inspruck in the Tyrol. He fixed his residence in that city, as, by its situation in the neighbourhood of Trent and on the confines of Italy, it appeared a commodious station whence he might inspect the operations of the council, and observe the progress of the war in the Parmesan, without losing sight of such occurrences as might happen in Germany.[18]

During these transactions, the siege of Magdeburg was carried on with various success. At the time when Charles proscribed the citizens of Magdeburg and put them under the ban of the empire, he had exhorted and even enjoined all the neighbouring states to take arms against them, as rebels and common enemies. Encouraged by his exhortations as well as promises, George of Mecklenburg, a younger brother of the reigning duke, an active and ambitious prince, collected a considerable number of those soldiers of fortune who had accompanied Henry of Brunswick in all his wild enterprises, and, though a zealous Lutheran himself, invaded the territories of the Magdeburghers, hoping that by the merit of this service he might procure some part of their domains to be allotted to him as an establishment. The citizens, unaccustomed as yet to endure patiently the calamities of war, could not be restrained from sallying out, in order to save their lands from being laid waste. They attacked the duke of Mecklenburg with more resolution than conduct, and were repulsed with great slaughter. But, as they were animated with that unconquerable spirit which flows from zeal for religion, co-operating with the love of civil liberty, far from being disheartened by their misfortune, they prepared to defend themselves with vigour. Many of the veteran soldiers who had served in the long wars between the emperor and the king of France crowding to their standards under able and experienced officers, the citizens acquired military skill by degrees, and added all the advantages of that to the efforts of undaunted courage. The duke of Mecklenburg, notwithstanding the severe blow which he had given the Magdeburghers, not daring to invest a town strongly fortified and defended by such a garrison, continued to ravage the open country.

As the hopes of booty drew many adventurers to the camp of this young prince, Maurice of Saxony began to be jealous of the power which he possessed by being at the head of such a numerous body, and, marching towards Magdeburg with his own troops, assumed the supreme command of the whole army, —an honour to which his high rank and great abilities, as well as the nomination of the diet, gave him an indisputable title. With this united force he invested

[17] Sleid., 516, 523.—Thuan., 276. [18] Sleid., 329.

the town, and began the siege in form, claiming great merit with the emperor on that account, as, from his zeal to execute the imperial decree, he was exposing himself once more to the censures and maledictions of the party with which he agreed in religious sentiments. But the approaches to the town went on slowly; the garrison interrupted the besiegers by frequent sallies, in one of which George of Mecklenburg was taken prisoner, levelled part of their works, and cut off the soldiers in their advanced posts. While the citizens of Magdeburg, animated by the discourses of their pastors, and the soldiers, encouraged by the example of their officers, endured all the hardships of a siege without murmuring, and defended themselves with the same ardour which they had at first discovered, the troops of the besiegers acted with extreme remissness, repining at everything that they suffered in a service they disliked. They broke out more than once into open mutiny, demanding the arrears of their pay, which, as the members of the Germanic body sent in their contributions towards defraying the expenses of the war sparingly and with great reluctance, amounted to a considerable sum.[19] Maurice, too, had particular motives, though such as he durst not avow at that juncture, which induced him not to push the siege with vigour, and made him choose rather to continue at the head of an army exposed to all the imputations which his dilatory proceedings drew upon him, than to precipitate a conquest that might have brought him some accession of reputation, but would have rendered it necessary to disband his forces.

At last, the inhabitants of the town beginning to suffer distress from want of provisions, and Maurice finding it impossible to protract matters any longer without filling the emperor with such suspicions as might have disconcerted all his measures, he concluded a treaty of capitulation with the city upon the following conditions: That the Magdeburghers should humbly implore pardon of the emperor; that they should not for the future take arms or enter into any alliance against the house of Austria; that they should submit to the authority of the imperial chamber; that they should conform to the decree of the diet at Augsburg with respect to religion; that the new fortifications added to the town should be demolished; that they should pay a fine of fifty thousand crowns, deliver up twelve pieces of ordnance to the emperor, and set the duke of Mecklenburg, together with their other prisoners, at liberty, without ransom. Next day their garrison marched out, and Maurice took possession of the town with great military pomp.

Before the terms of capitulation were settled, Maurice had held many conferences with Albert, Count Mansfeldt, who had the chief command in Magdeburg. He consulted likewise with Count Heideck, an officer who had served with great reputation in the army of the league of Smalkalde, whom the emperor had proscribed on account of his zeal for that cause, but whom Maurice had, notwithstanding, secretly engaged in his service and admitted into the most intimate confidence. To them he communicated a scheme which he had long revolved in his mind for procuring liberty to his father-in-law the landgrave, for vindicating the privileges of the Germanic body, and setting bounds to the dangerous encroachments of the imperial power. Having deliberated with them concerning the measures which might be necessary for securing the success of such an arduous enterprise, he gave Mansfeldt secret assurances that the fortifications of Magdeburg should not be destroyed, and that the inhabitants should neither be disturbed in the exercise of their religion nor be deprived of any of their ancient immunities. In order to engage Maurice more thoroughly, from considerations of interest, to fulfil these engagements, the

[19] Thuan., 277.—Sleid., 514.

senate of Magdeburg elected him their burgrave, a dignity which had formerly belonged to the electoral house of Saxony, and which entitled him to a very ample jurisdiction, not only in the city but in its dependencies.[20]

Thus the citizens of Magdeburg, after enduring a siege of twelve months, and struggling for their liberties, religious and civil, with an invincible fortitude, worthy of the cause in which it was exerted, had at last the good fortune to conclude a treaty which left them in a better condition than the rest of their countrymen, whom their timidity or want of public spirit had betrayed into such mean submissions to the emperor. But while a great part of Germany applauded the gallant conduct of the Magdeburghers and rejoiced in their having escaped the destruction with which they had been threatened, all admired Maurice's address in the conduct of his negotiation with them, as well as the dexterity with which he converted every event to his own advantage. They saw with amazement that, after having afflicted the Magdeburghers during many months with all the calamities of war, he was at last, by their voluntary election, advanced to the station of highest authority in that city which he had so lately besieged; that, after having been so long the object of their satirical invectives as an apostate and an enemy to the religion which he professed, they seemed now to place unbounded confidence in his zeal and good will.[21] At the same time, the public articles in the treaty of capitulation were so perfectly conformable to those which the emperor had granted to the other Protestant cities, and Maurice took such care to magnify his merit in having reduced a place which had defended itself with so much obstinacy, that Charles, far from suspecting anything fraudulent or collusive in the terms of accommodation, ratified them without hesitation, and absolved the Magdeburghers from the sentence of ban which had been denounced against them.

The only point that now remained to embarrass Maurice was how to keep together the veteran troops which had served under him, as well as those which had been employed in the defence of the town. For this, too, he found an expedient with singular art and felicity. His schemes against the emperor were not yet so fully ripened that he durst venture to disclose them and proceed openly to carry them into execution. The winter was approaching, which made it impossible to take the field immediately. He was afraid that it would give a premature alarm to the emperor if he should retain such a considerable body in his pay until the season of action returned in the spring. As soon, then, as Magdeburg opened its gates, he sent home his Saxon subjects, whom he could command to take arms and reassemble on the shortest warning; and at the same time, paying part of the arrears due to the mercenary troops who had followed his standard, as well as to the soldiers who had served in the garrison, he absolved them from their respective oaths of fidelity, and disbanded them. But the moment he gave them their discharge, George of Mecklenburg, who was now set at liberty, offered to take them into his service and to become surety for the payment of what was still owing to them. As such adventurers were accustomed often to change masters, they instantly accepted the offer. Thus these troops were kept united, and ready to march wherever Maurice should call them; while the emperor, deceived by this artifice, and imagining that George of Mecklenburg had hired them with an intention to assert his claim to a part of his brother's territories by force of arms, suffered this transaction to pass without observation, as if it had been a matter of no consequence.[22]

[20] Sleid., 528.—Thuan., 276.—Obsidionis Magdeburgicæ Descriptio per Sebast. Besselmeierum, ap. Scard, ii. 518.

[21] Arnoldi Vita Maurit., apud Menken, ii. 1227.

[22] Thuan., 278.—Struv., Corp. Hist. Germ., 1064.—Arnoldi Vita Maurtii, apud Menken, ii. 1227.

Having ventured to take these steps, which were of so much consequence towards the execution of his schemes, Maurice, that he might divert the emperor from observing their tendency too narrowly, and prevent the suspicions which that must have excited, saw the necessity of employing some new artifice in order to engage his attention and to confirm him in his present security. As he knew that the chief object of the emperor's solicitude at this juncture was how he might prevail with the Protestant states of Germany to recognize the authority of the council of Trent, and to send thither ambassadors in their own name, as well as deputies from their respective churches, he took hold of this predominating passion in order to amuse and to deceive him. He affected a wonderful zeal to gratify Charles in what he desired with regard to this matter; he nominated ambassadors, whom he empowered to attend the council; he made choice of Melancthon and some of the most eminent among his brethren to prepare a confession of faith and to lay it before that assembly. After his example, and probably in consequence of his solicitations, the duke of Wurtemberg, the city of Strasburg, and other Protestant states, appointed ambassadors and divines to attend the council. They all applied to the emperor for his safe-conduct, which they obtained in the most ample form. This was deemed sufficient for the security of the ambassadors, and they proceeded accordingly on their journey; but a separate safe-conduct from the council itself was demanded for the Protestant divines. The fate of John Huss and Jerome of Prague, whom the council of Constance, in the preceding century, had condemned to the flames without regarding the imperial safe-conduct which had been granted them, rendered this precaution prudent and necessary. But, as the pope was no less unwilling that the Protestants should be admitted to a hearing in the council than the emperor had been eager in bringing them to demand it, the legate, by promises and threats, prevailed on the fathers of the council to decline issuing a safe-conduct in the same form with that which the council of Basil had granted to the followers of Huss. The Protestants, on their part, insisted upon the council's copying the precise words of that instrument. The imperial ambassadors interposed, in order to obtain what would satisfy them. Alterations in the form of the writ were proposed; expedients were suggested; protests and counter-protests were taken: the legate, together with its associates, laboured to gain their point by artifice and chicane; the Protestants adhered to theirs with firmness and obstinacy. An account of everything that passed in Trent was transmitted to the emperor at Inspruck, who, attempting from an excess of zeal, or confidence in his own address, to reconcile the contending parties, was involved in a labyrinth of inextricable negotiations. By means of this, however, Maurice gained all that he had in view: the emperor's time was wholly engrossed, and his attention diverted, while he himself had leisure to mature his schemes, to carry on his intrigues, and to finish his preparations, before he threw off the mask and struck the blow which he had so long meditated.[23]

But, previous to entering into any further detail concerning Maurice's operations, some account must be given of a new revolution in Hungary, which contributed not a little towards their producing such extraordinary effects. When Solyman, in the year 1541, by a stratagem which suited the base and insidious policy of a petty usurper rather than the magnanimity of a mighty conqueror, deprived the young king of Hungary of the dominions which his father had left him, he had granted that unfortunate prince the country of Transylvania, a province of his paternal kingdom. The government of this, together with the care of educating the young king,—for he still allowed him

[23] Sleid., 526, 529.—F. Paul, 323, 333.—Thuan, 286.

to retain that title, though he had rendered it only an empty name,—he committed to the queen and Martinuzzi, bishop of Waradin, whom the late king had appointed joint guardians of his son, and regents of his dominions, at a time when these offices were of greater importance. This co-ordinate jurisdiction occasioned the same dissensions in a small principality as it would have excited in a great kingdom; an ambitious young queen, possessed with a high opinion of her own capacity for governing, and a high-spirited prelate, fond of power, contending who should engross the greatest share in the administration. Each had their partisans among the nobles; but as Martinuzzi, by his great talents, began to acquire the ascendant, Isabella turned his own arts against him, and courted the protection of the Turks.

The neighbouring bashas, jealous of the bishop's power as well as abilities, readily promised her the aid which she demanded, and would soon have obliged Martinuzzi to have given up to her the sole direction of affairs, if his ambition, fertile in expedients, had not suggested to him a new measure, and one that tended not only to preserve but to enlarge his authority. Having concluded an agreement with the queen, by the mediation of some of the nobles who were solicitous to save their country from the calamities of a civil war, he secretly despatched one of his confidants to Vienna and entered into a negotiation with Ferdinand. As it was no difficult matter to persuade Ferdinand that the same man whose enmity and intrigues had driven him out of a great part of his Hungarian dominions might upon a reconciliation become equally instrumental in recovering them, he listened eagerly to the first overtures of a union with that prelate. Martinuzzi allured him by such prospects of advantage, and engaged with so much confidence that he would prevail on the most powerful of the Hungarian nobles to take arms in his favour, that Ferdinand, notwithstanding his truce with Solyman, agreed to invade Transylvania. The command of the troops destined for that service, consisting of veteran Spanish and German soldiers, was given to Castalda, marquis de Piadena, an officer formed by the famous marquis de Pescara, whom he strongly resembled both in his enterprising genius for civil business and in his great knowledge in the art of war. This army, more formidable by the discipline of the soldiers and the abilities of the general than by its numbers, was powerfully seconded by Martinuzzi and his faction among the Hungarians. As the Turkish bashas, the sultan himself being at the head of his army on the frontiers of Persia, could not afford the queen such immediate or effectual assistance as the exigency of her affairs required, she quickly lost all hopes of being able to retain any longer the authority which she possessed as regent, and even began to despair of her son's safety.

Martinuzzi did not suffer this favourable opportunity of accomplishing his own designs to pass unimproved, and ventured, while she was in this state of dejection, to lay before her a proposal which at any other time she would have rejected with disdain. He represented how impossible it was for her to resist Ferdinand's victorious arms; that, even if the Turks should enable her to make head against them, she would be far from changing her condition to the better, and could not consider them as deliverers, but as masters, to whose commands she must submit: he conjured her, therefore, as she regarded her own dignity, the safety of her son, or the security of Christendom, rather to give up Transylvania to Ferdinand, and to make over to him her son's title to the crown of Hungary, than to allow both to be usurped by the inveterate enemy of the Christian faith. At the same time he promised her, in Ferdinand's name, a compensation for herself, as well as for her son, suitable to their rank and proportional to the value of what they were to sacrifice.

Isabella, deserted by some of her adherents, distrusting others, destitute of friends, and surrounded by Castaldo's and Martinuzzi's troops, subscribed these hard conditions, though with a reluctant hand. Upon this she surrendered such places of strength as were still in her possession, she gave up all the ensigns of royalty, particularly a crown of gold, which, as the Hungarians believed, had descended from heaven and conferred on him who wore it an undoubted right to the throne. As she could not bear to remain a private person in a country where she had once enjoyed sovereign power, she instantly set out with her son for Silesia, in order to take possession of the principalities of Oppelen and Ratibor, the investiture of which Ferdinand had engaged to grant her son, and likewise to bestow one of his daughters upon him in marriage.

Upon the resignation of the young king, Martinuzzi, and, after his example, the rest of the Transylvanian grandees, swore allegiance to Ferdinand, who, in order to testify his grateful sense of the zeal as well as success with which that prelate had served him, affected to distinguish him by every possible mark of favour and confidence. He appointed him governor of Transylvania, with almost unlimited authority; he publicly ordered Castaldo to pay the greatest deference to his opinion and commands; he increased his revenues, which were already very great, by new appointments; he nominated him archbishop of Gran, and prevailed on the pope to raise him to the dignity of a cardinal. All this ostentation of good will, however, was void of sincerity, and calculated to conceal sentiments the most perfectly its reverse. Ferdinand dreaded Martinuzzi's abilities, distrusted his fidelity, and foresaw that, as his extensive authority enabled him to check any attempt towards circumscribing or abolishing the extensive privileges which the Hungarian nobility possessed, he would stand forth, on every occasion, the guardian of the liberties of his country, rather than act the part of a viceroy devoted to the will of his sovereign.

For this reason, he secretly gave it in charge to Castaldo to watch his motions, to guard against his designs, and to thwart his measures. But Martinuzzi, either because he did not perceive that Castaldo was placed as a spy on his actions, or because he despised Ferdinand's insidious arts, assumed the direction of the war against the Turks with his usual tone of authority, and conducted it with great magnanimity and no less success. He recovered some places of which the infidels had taken possession; he rendered their attempts to reduce others abortive, and established Ferdinand's authority not only in Transylvania, but in the Bannat of Temeswar, and several of the countries adjacent. In carrying on these operations, he often differed in sentiments from Castaldo and his officers, and treated the Turkish prisoners with a degree not only of humanity, but even of generosity, which Castaldo loudly condemned. This was represented at Vienna as an artful method of courting the friendship of the infidels, that by securing their protection he might shake off all dependence upon the sovereign whom he now acknowledged. Though Martinuzzi, in justification of his own conduct, contended that it was impolitic by unnecessary severities to exasperate an enemy prone to revenge, Castaldo's accusations gained credit with Ferdinand, prepossessed already against Martinuzzi, and jealous of everything that could endanger his own authority in Hungary, in proportion as he knew it to be precarious and ill established. These suspicions Castaldo confirmed and strengthened by the intelligence which he transmitted continually to his confidants at Vienna. By misrepresenting what was innocent and putting the worst construction on what seemed dubious in Martinuzzi's conduct, by imputing to him designs which he never formed, and charging him with actions of which he was not guilty, he at last convinced

Ferdinand that in order to preserve his Hungarian crown he must cut off that ambitious prelate. But Ferdinand, foreseeing that it would be dangerous to proceed in the regular course of law against a subject of such exorbitant power as might enable him to set his sovereign at defiance, determined to employ violence in order to obtain that satisfaction which the laws were too feeble to afford him.

He issued his orders accordingly to Castaldo, who willingly undertook that infamous service. Having communicated the design to some Italian and Spanish officers whom he could trust, and concerted with them the plan of executing it, they entered Martinuzzi's apartment early one morning, under pretence of presenting to him some despatches which were to be sent off immediately to Vienna, and, while he perused a paper with attention, one of their number struck him with his poniard in the throat. The blow was not mortal. Martinuzzi started up with the intrepidity natural to him, and, grappling the assassin, threw him to the ground. But, the other conspirators rushing in, an old man, unarmed and alone, was unable long to sustain such an unequal conflict, and sunk under the wounds which he received from so many hands. The Transylvanians were restrained by dread of the foreign troops stationed in their country from rising in arms in order to take vengeance on the murderers of a prelate who had long been the object of their love as well as veneration. They spoke of the deed, however, with horror and execration, and exclaimed against Ferdinand, whom neither gratitude for recent and important services nor reverence for a character considered as sacred and inviolable among Christians could restrain from shedding the blood of a man whose only crime was attachment to his native country. The nobles, detesting the jealous as well as cruel policy of a court which upon uncertain and improbable surmises had given up a person no less conspicuous for his merit than his rank, to be butchered by assassins, either retired to their own estates, or, if they continued with the Austrian army, grew cold to the service. The Turks, encouraged by the death of an enemy whose abilities they knew and dreaded, prepared to renew hostilities early in the spring; and, instead of the security which Ferdinand had expected from the removal of Martinuzzi, it was evident that his territories in Hungary were about to be attacked with greater vigour and defended with less zeal than ever.[24]

By this time, Maurice, having almost finished his intrigues and preparations, was on the point of declaring his intentions openly, and of taking the field against the emperor. His first care, after he came to this resolution, was to disclaim that narrow and bigoted maxim of the confederates of Smalkalde which had led them to shun all connection with foreigners. He had observed how fatal this had been to their cause; and, instructed by their error, he was as eager to court the protection of Henry II. as they had been solicitous to prevent the interposition of Francis I. Happily for him, he found Henry in a disposition to listen to the first overture on his part, and in a situation which enabled him to bring the whole force of the French monarchy into action. Henry had long observed the progress of the emperor's arms with jealousy, and wished to distinguish himself by entering the lists against the same enemy whom it had been the glory of his father's reign to oppose. He had laid hold on the first opportunity in his power of thwarting the emperor's designs, by taking the duke of Parma under his protection; and hostilities were already begun not only in that duchy, but in Piedmont. Having terminated the war with England by a peace no less advantageous to himself than honourable for

[24] Sleid., 535.—Thuan., lib. ix. 369, etc.—Istuanhaffii Hist. Regn. Hungarici, lib. xvi. 189, etc.—Mém. de Ribier, ii. 871.—Natalis Comitis Historia, lib. iv. 84, etc.

his allies the Scots, the restless and enterprising courage of his nobles was impatient to display itself on some theatre of action more conspicuous than the petty operations in Parma or Piedmont afforded them.

John de Fienne, bishop of Bayonne, whom Henry had sent into Germany under pretence of hiring troops to be employed in Italy, was empowered to conclude a treaty in form with Maurice and his associates. As it would have been very indecent in a king of France to have undertaken the defence of the Protestant Church, the interests of religion, how much soever they might be affected by the treaty, were not once mentioned in any of the articles. Religious concerns they pretended to commit entirely to the disposition of Divine Providence: the only motives assigned for their present confederacy against Charles were to procure the landgrave liberty, and to prevent the subversion of the ancient constitution and laws of the German empire. In order to accomplish these ends, it was agreed that all the contracting parties should at the same time declare war against the emperor; that neither peacen or truce should be made but by common consent, nor without including each of the confederates; that in order to guard against the inconveniences of anarchy, or of pretensions to joint command, Maurice should be acknowledged as head of the German confederates, with absolute authority in all military affairs; that Maurice and his associates should bring into the field seven thousand horse, with a proportional number of infantry; that towards the subsistence of this army, during the first three months of the war, Henry should contribute two hundred and forty thousand crowns, and afterwards sixty thousand crowns a month, as long as they continued in arms; that Henry should attack the emperor on the side of Lorraine with a powerful army; that if it were found requisite to elect a new emperor, such a person shall be nominated as shall be agreeable to the king of France.[25] This treaty was concluded on the fifth of October, some time before Magdeburg surrendered, and the preparatory negotiations were concluded with such profound secrecy that, of all the princes who afterwards acceded to it, Maurice communicated what he was carrying on to two only, John Albert, the reigning duke of Mecklenburg, and William of Hesse, the landgrave's eldest son. The league itself was no less anxiously concealed, and with such fortunate care that no rumour concerning it reached the ears of the emperor or his ministers; nor do they seem to have conceived the most distant suspicion of such a transaction.

At the same time, with a solicitude which was careful to draw some accession of strength from every quarter, Maurice applied to Edward VI. of England, and requested a subsidy of four hundred thousand crowns for the support of a confederacy formed in defence of the Protestant religion. But the factions which prevailed in the English court during the minority of that prince, and which deprived both the councils and arms of the nation of their wonted vigour, left the English ministers neither time nor inclination to attend to foreign affairs, and prevented Maurice's obtaining that aid which their zeal for the Reformation would have prompted them to grant him.[26]

Maurice, however, having secured the protection of such a powerful monarch as Henry II., proceeded with great confidence, but with equal caution, to execute his plan. As he judged it necessary to make one effort more in order to obtain the emperor's consent that the landgrave should be set at liberty, he sent a solemn embassy, in his own name, and in that of the elector of Brandenburg, to Inspruck. After resuming at great length all the facts and arguments upon which they founded their claim, and repre-

[25] Recueil des Traités, tom. ii. 258.—Thuan., lib. viii. 279.

[26] Burnet's Hist. of the Reform., vol. ii., Append., 37.

senting in the strongest terms the peculiar engagements which bound them to be so assiduous in their solicitations, they renewed the request in behalf of the unfortunate prisoner which they had so often preferred in vain. The elector palatine, the duke of Wurtemberg, the dukes of Mecklenburg, the duke of Deuxponts, the marquis of Brandenburg Bareith, and the marquis of Baden, by their ambassadors, concurred with them in their suit. Letters were likewise delivered to the same effect from the king of Denmark, the duke of Bavaria, and the dukes of Lunenburg. Even the king of the Romans joined in this application, being moved with compassion towards the landgrave in his wretched situation, or influenced, perhaps, by a secret jealousy of his brother's power and designs, which, since his attempt to alter the order of succession in the empire, he had come to view with other eyes than formerly, and dreaded to a great degree.

But Charles, constant to his own system with regard to the landgrave, eluded a demand urged by such powerful intercessors; and, having declared that he would communicate his resolution concerning the matter to Maurice as soon as he arrived at Inspruck, where he was every day expected, he did not deign to descend into any more particular explication of his intentions.[27] This application, though of no benefit to the landgrave, was of great advantage to Maurice. It served to justify his subsequent proceedings, and to demonstrate the necessity of employing arms in order to extort that equitable concession which his mediation or entreaty could not obtain. It was of use, too, to confirm the emperor in his security, as both the solemnity of the application, and the solicitude with which so many princes were drawn in to enforce it, led him to conclude that they placed all their hopes of restoring the landgrave to liberty in gaining his consent to dismiss him.

Maurice employed artifices still more refined to conceal his machinations, to amuse the emperor, and to gain time. He affected to be more solicitous than ever to find out some expedient for removing the difficulties with regard to the safe-conduct for the Protestant divines appointed to attend the council, so that they might repair thither without any apprehension of danger. His ambassadors at Trent had frequent conferences concerning this matter with the imperial ambassadors in that city, and laid open their sentiments to them with the appearance of the most unreserved confidence. He was willing at last to have it believed that he thought all differences with respect to this preliminary article were on the point of being adjusted; and, in order to give credit to this opinion, he commanded Melancthon, together with his brethren, to set out on their journey to Trent. At the same time, he held a close correspondence with the imperial court at Inspruck, and renewed on every occasion his professions not only of fidelity but of attachment to the emperor. He talked continually of his intention of going to Inspruck in person; he gave orders to hire a house for him in that city, and to fit it up with the greatest despatch for his reception.[28]

But, profoundly skilled as Maurice was in the arts of deceit, and impenetrable as he thought the veil to be under which he concealed his designs, there were several things in his conduct which alarmed the emperor amidst his security, and tempted him frequently to suspect that he was meditating something extraordinary. As these suspicions took their rise from circumstances inconsiderable in themselves, or of an ambiguous as well as uncertain nature, they were more than counterbalanced by Maurice's address; and the emperor would not lightly give up his confidence in a man whom he had once trusted and loaded with favours. One particular alone seemed to be of such conse-

[27] Sleid., 531.—Thuan., lib. viii. 280. [28] Arnoldi Vita Maurit., ap. Menkin, ii. 1229.

quence that he thought it necessary to demand an explanation with regard to it. The troops which George of Mecklenburg had taken into pay after the capitulation of Magdeburg, having fixed their quarters in Thuringia, lived at discretion on the lands of the rich ecclesiastics in their neighbourhood. Their license and rapaciousness were intolerable. Such as felt or dreaded their exactions complained loudly to the emperor, and represented them as a body of men kept in readiness for some desperate enterprise. But Maurice, partly by extenuating the enormities of which they had been guilty, partly by representing the impossibility of disbanding these troops or of keeping them to regular discipline unless the arrears still due to them by the emperor were paid, either removed the apprehensions which this had occasioned, or, as Charles was not in a condition to satisfy the demands of these soldiers, obliged him to be silent with regard to the matter.[29]

The time of action was now approaching. Maurice had privately despatched Albert of Brandenburg to Paris, in order to confirm his league with Henry and to hasten the march of the French army. He had taken measures to bring his own subjects together on the first summons; he had provided for the security of Saxony while he should be absent with the army; and he held the troops in Thuringia, on which he chiefly depended, ready to advance on a moment's warning. All these complicated operations were carried on without being discovered by the court at Inspruck, and the emperor remained there in perfect tranquillity, busied entirely in counteracting the intrigues of the pope's legate at Trent, and in settling the conditions on which the Protestant divines should be admitted into the council, as if there had not been any transaction of greater moment in agitation.

This credulous security in a prince who, by his sagacity in observing the conduct of all around him, was commonly led to an excess of distrust, may seem unaccountable, and has been imputed to infatuation. But, besides the exquisite address with which Maurice concealed his intentions, two circumstances contributed to the delusion. The gout had returned upon Charles soon after his arrival at Inspruck, with an increase of violence; and, his constitution being broken by such frequent attacks, he was seldom able to exert his natural vigour of mind or to consider affairs with his usual vigilance and penetration; and Granvelle, bishop of Arras, his prime minister, though one of the most subtle statesmen of that or perhaps of any age, was on this occasion the dupe of his own craft. He entertained such a high opinion of his own abilities, and held the political talents of the Germans in such contempt, that he despised all the intimations given him concerning Maurice's secret machinations or the dangerous designs which he was carrying on. When the duke of Alva, whose dark suspicious mind harboured many doubts concerning the elector's sincerity, proposed calling him immediately to court to answer for his conduct, Granvelle replied, with great scorn, that these apprehensions were groundless, and that a drunken German head was too gross to form any scheme which he could not easily penetrate and baffle. Nor did he assume this peremptory tone merely from confidence in his own discernment: he had bribed two of Maurice's ministers, and received from them frequent and minute information concerning all their master's motions. But through this very channel, by which he expected to gain access to all Maurice's counsels, and even to his thoughts, such intelligence was conveyed to him as completed his deception. Maurice fortunately discovered the correspondence of the two traitors with Granvelle, but, instead of punishing them for their crime, he dexterously availed himself of their fraud, and turned his own arts against the bishop. He affected to treat

[29] Sleid., 549.—Thuan., 339.

these ministers with greater confidence than ever; he admitted them to his consultations; he seemed to lay open his heart to them; and, taking care all the while to let them be acquainted with nothing but what it was his interest should be known, they transmitted to Inspruck such accounts as possessed Granvelle with a firm belief of his sincerity as well as good intentions.[30] The emperor himself, in the fulness of security, was so little moved by a memorial, in the name of the ecclesiastical electors, admonishing him to be on his guard against Maurice, that he made light of this intelligence; and his answer to them abounds with declarations of his entire and confident reliance on the fidelity as well as attachment of that prince.[31]

At last Maurice's preparations were completed, and he had the satisfaction to find that his intrigues and designs were still unknown. But, though now ready to take the field, he did not lay aside the arts which he had hitherto employed; and by one piece of craft more he deceived his enemies a few days longer. He gave out that he was about to begin that journey to Inspruck of which he had so often talked, and he took one of the ministers whom Granvelle had bribed, to attend him thither. After travelling post a few stages, he pretended to be indisposed by the fatigue of the journey, and, despatching the suspected minister to make his apology to the emperor for this delay and to assure him that he would be at Inspruck within a few days, he mounted on horseback, as soon as this spy on his actions was gone, rode full speed towards Thuringia, joined his army, which amounted to twenty thousand foot and five thousand horse, and put it immediately in motion.[32]

At the same time he published a manifesto, containing his reasons for taking arms. These were three in number: that he might secure the Protestant religion, which was threatened with immediate destruction; that he might maintain the constitution and laws of the empire, and save Germany from being subjected to the dominion of an absolute monarch; that he might deliver the landgrave of Hesse from the miseries of a long and unjust imprisonment. By the first, he roused all the favourers of the Reformation, a party formidable by their zeal as well as numbers, and rendered desperate by oppression. By the second, he interested all the friends of liberty, Catholics no less than Protestants, and made it their interest to unite with him in asserting the rights and privileges common to both. The third, besides the glory which he acquired by his zeal to fulfil his engagements to the unhappy prisoner, was become a cause of general concern, not only from the compassion which the landgrave's sufferings excited, but from indignation at the injustice and rigour of the emperor's proceedings against him. Together with Maurice's manifesto, another appeared in the name of Albert, marquis of Brandenburg Culmbach, who had joined him with a body of adventurers whom he had drawn together. The same grievances which Maurice had pointed out are mentioned in it, but with an excess of virulence and animosity suitable to the character of the prince in whose name it was published.

The king of France added to these a manifesto in his own name, in which, after taking notice of the ancient alliance between the French and German nations, both descended from the same ancestors, and after mentioning the applications which, in consequence of this, some of the most illustrious among the German princes had made to him for his protection, he declared that he

[30] Melvil's Memoirs, fol. edit., p. 12.

[31] Sleid., 535.

[32] Melv., Mem., p. 13. These circumstances concerning the Saxon ministers whom Granvelle had bribed are not mentioned by the German historians; but, as Sir James Melvil received his information from the elector palatine, and as they are perfectly agreeable to the rest of Maurice's conduct, they may be considered as authentic.

now took arms to re-establish the ancient constitution of the empire, to deliver some of its princes from captivity, and to secure the privileges and independence of all the members of the Germanic body. In this manifesto, Henry assumed the extraordinary title of *protector of the liberties of Germany and of its captive princes;* and there was engraved on it a cap, the ancient symbol of freedom, placed between two daggers, in order to intimate to the Germans that this blessing was to be acquired and secured by force of arms.[33]

Maurice had now to act a part entirely new; but his flexible genius was capable of accommodating itself to every situation. The moment he took arms, he was as bold and enterprising in the field as he had been cautious and crafty in the cabinet. He advanced by rapid marches towards Upper Germany. All the towns in his way opened their gates to him. He reinstated the magistrates whom the emperor had deposed, and gave possession of the churches to the Protestant ministers whom he had ejected. He directed his march to Augsburg, and as the imperial garrison, which was too inconsiderable to think of defending it, retired immediately, he took possession of that great city, and made the same changes there as in the towns through which he had passed.[34]

No words can express the emperor's astonishment and consternation at events so unexpected. He saw a great number of the German princes in arms against him, and the rest either ready to join them or wishing success to their enterprise. He beheld a powerful monarch united with them in close league, seconding their operations in person, at the head of a formidable army, while he, through negligence and credulity, which exposed him no less to scorn than to danger, had neither made nor was in condition to make any effectual provision either for crushing his rebellious subjects or resisting the invasion of the foreign enemy. Part of his Spanish troops had been ordered into Hungary against the Turks; the rest had marched back to Italy, upon occasion of the war in the duchy of Parma. The bands of veteran Germans had been dismissed, because he was not able to pay them, or had entered into Maurice's service after the siege of Magdeburg; and he remained at Inspruck with a body of soldiers hardly strong enough to guard his own person. His treasury was as much exhausted as his army was reduced. He had received no remittances for some time from the New World. He had forfeited all credit with the merchants of Genoa and Venice, who refused to lend him money, though tempted by the offer of exorbitant interest. Thus Charles, though undoubtedly the most considerable potentate in Christendom, and capable of exerting the greatest strength, his power, notwithstanding the violent attack made upon it, being still unimpaired, found himself in a situation which rendered him unable to make such a sudden and vigorous effort as the juncture required and was necessary to have saved him from the present danger.

In this situation, the emperor placed all his hopes on negotiating; the only resource of such as are conscious of their own weakness. But, thinking it inconsistent with his dignity to make the first advances to subjects who were in arms against him, he avoided that indecorum by employing the mediation of his brother Ferdinand. Maurice, confiding in his own talents to conduct any negotiation in such a manner as to derive advantage from it, and hoping that by the appearance of facility in hearkening to the first overture of accommodation he might amuse the emperor and tempt him to slacken the

[33] Sleid., 549.—Thuan., lib. x. 339.—Mém. de Ribier, ii. 371.

[34] Sleid., 555.—Thuan., 342.

activity with which he was now preparing to defend himself, readily agreed to an interview with Ferdinand, in the town of Lintz in Austria; and, having left his army to proceed on its march under the command of the duke of Mecklenburg, he repaired thither.

Meanwhile, the king of France punctually fulfilled his engagements to his allies. He took the field early, with a numerous and well-appointed army, and, marching directly into Lorraine, Toul and Verdun opened their gates at his approach. His forces appeared next before Metz, and that city, by a fraudulent stratagem of the Constable Montmorency, who, having obtained permission to pass through it with a small guard, introduced as many troops as were sufficient to overpower the garrison, was likewise seized without bloodshed. Henry made his entry into all these towns with great pomp; he obliged the inhabitants to swear allegiance to him, and annexed those important conquests to the French monarchy. He left a strong garrison in Metz. From thence he advanced towards Alsace, in order to attempt new conquests, to which the success that had hitherto attended his arms invited him.[35]

The conference at Lintz did not produce any accommodation. Maurice, when he consented to it, seems to have had nothing in view but to amuse the emperor; for he made such demands, both in behalf of his confederates and their ally the French king, as he knew would not be accepted by a prince too haughty to submit at once to conditions dictated by an enemy. But, however firmly Maurice adhered during the negotiation to the interests of his associates, or how steadily soever he kept in view the objects which had induced him to take arms, he often professed a strong inclination to terminate the differences with the emperor in an amicable manner. Encouraged by this appearance of a pacific disposition, Ferdinand proposed a second interview at Passau on the twenty-sixth of May, and that a truce should commence on that day and continue to the tenth of June, in order to give them leisure for adjusting all the points in dispute.

Upon this, Maurice rejoined his army on the ninth of May, which had now advanced to Gundelfingen. He put his troops in motion next morning; and, as sixteen days yet remained for action before the commencement of the truce, he resolved during that period to venture upon an enterprise the success of which would be so decisive as to render the negotiations at Passau extremely short and entitle him to treat upon his own terms. He foresaw that the prospect of a cessation of arms, which was to take place so soon, together with the opinion of his earnestness to re-establish peace, with which he had artfully amused Ferdinand, could hardly fail of inspiring the emperor with such false hopes that he would naturally become remiss, and relapse into some degree of that security which had already been so fatal to him. Relying on this conjecture, he marched directly at the head of his army towards Inspruck, and advanced with the most rapid motion that could be given to so great a body of troops. On the eighteenth he arrived at Fiessen, a post of great consequence, at the entrance into the Tyrolese. There he found a body of eight hundred men, whom the emperor had assembled, strongly intrenched, in order to oppose his progress. He attacked them instantly, with such violence and impetuosity that they abandoned their lines precipitately, and, falling back on a second body posted near Ruten, communicated the panic terror with which they themselves had been seized, to those troops; so that they likewise took to flight, after a feeble resistance.

Elated with this success, which exceeded his most sanguine hopes, Maurice pressed forward to Ehrenberg, a castle situated on a high and steep precipice,

[35] Thuan., 349.

which commanded the only pass through the mountains. As this fort had been surrendered to the Protestants at the beginning of the Smalkaldic war, because the garrison was then too weak to defend it, the emperor, sensible of its importance, had taken care at this juncture to throw into it a body of troops sufficient to maintain it against the greatest army. But a shepherd, in pursuing a goat which had strayed from his flock, having discovered an unknown path by which it was possible to ascend to the top of the rock, came with this seasonable piece of intelligence to Maurice. A small band of chosen soldiers, under the command of George of Mecklenburg, was instantly ordered to follow this guide. They set out in the evening, and, clambering up the rugged track with infinite fatigue as well as danger, they reached the summit unperceived; and at an hour which had been agreed on, when Maurice began the assault on the one side of the castle, they appeared on the other, ready to scale the walls, which were feeble in that place, because it had been hitherto deemed inaccessible. The garrison, struck with terror at the sight of an enemy on a quarter where they had thought themselves perfectly secure, immediately threw down their arms. Maurice, almost without bloodshed, and, which was of greater consequence to him, without loss of time, took possession of a place the reduction of which might have retarded him long and have required the utmost efforts of his valour and skill.[36]

Maurice was now only two days' march from Inspruck; and, without losing a moment, he ordered his infantry to advance thither, having left his cavalry, which was unserviceable in that mountainous country, at Fiessen, to guard the mouth of the pass. He proposed to advance with such rapidity as to anticipate any accounts of the loss of Ehrenberg, and to surprise the emperor, together with his attendants, in an open town incapable of defence. But, just as his troops began to move, a battalion of mercenaries mutinied, declaring that they would not stir until they had received the gratuity which, according to the custom of that age, they claimed as the recompense due to them for having taken a place by assault. It was with great difficulty, as well as danger, and not without some considerable loss of time, that Maurice quieted this insurrection, and prevailed on the soldiers to follow him to a place where he promised them such rich booty as would be an ample reward for all their services.

To the delay occasioned by this unforeseen accident the emperor owed his safety. He was informed of the approaching danger late in the evening, and, knowing that nothing could save him but a speedy flight, he instantly left Inspruck, without regarding the darkness of the night, or the violence of the rain which happened to fall at that time; and, notwithstanding the debility occasioned by the gout, which rendered him unable to bear any motion but that of a litter, he travelled by the light of torches, taking his way over the Alps by roads almost impassable. His courtiers and attendants followed him with equal precipitation, some of them on such horses as they could hastily procure, many of them on foot, and all in the utmost confusion. In this miserable plight, very unlike the pomp with which Charles had appeared during the five preceding years as the conqueror of Germany, he arrived at length with his dejected train at Villach in Carinthia, and scarcely thought himself secure even in that remote, inaccessible corner.

Maurice entered Inspruck a few hours after the emperor and his attendants had left it; and, enraged that the prey should escape out of his hands when he was just ready to seize it, he pursued them some miles; but, finding it impossible to overtake persons to whom their fear gave speed, he returned to

[36] Arnoldi Vita Maurit. 123.

the town, and abandoned all the emperor's baggage, together with that of his ministers, to be plundered by the soldiers; while he preserved untouched everything belonging to the king of the Romans, either because he had formed some friendly connection with that prince, or because he wished to have it believed that such a connection subsisted between them. As there now remained only three days to the commencement of the truce (with such nicety had Maurice calculated his operations), he set out for Passau, that he might meet Ferdinand on the day appointed.

Before Charles left Inspruck, he withdrew the guards placed on the degraded elector of Saxony, whom during five years he had carried about with him as a prisoner, and set him entirely at liberty, either with an intention to embarrass Maurice by letting loose a rival who might dispute his title to his dominions and dignity, or from a sense of the indeceny of detaining him a prisoner while he himself ran the risk of being deprived of his own liberty. But that prince, seeing no other way of escaping than that which the emperor took, and abhorring the thoughts of falling into the hands of a kinsman whom he justly considered as the author of all his misfortunes, chose rather to accompany Charles in his flight, and to expect the final decision of his fate from the treaty which was now approaching.

These were not the only effects which Maurice's operations produced. It was no sooner known at Trent that he had taken arms than a general consternation seized the fathers of the council. The German prelates immediately returned home, that they might provide for the safety of their respective territories. The rest were extremely impatient to be gone; and the legate, who had hitherto disappointed all the endeavours of the imperial ambassadors to procure an audience in the council for the Protestant divines, laid hold with joy on such a plausible pretext for dismissing an assembly which he had found it so difficult to govern. In a congregation held on the twenty-eighth of April, a decree was issued proroguing the council during two years, and appointing it to meet at the expiration of that time, if peace were then re-established in Europe.[37] This prorogation, however, continued no less than ten years; and the proceedings of the council when reassembled in the year 1562 fall not within the period prescribed to this history.

The convocation of this assembly had been passionately desired by all the states and princes in Christendom, who, from the wisdom as well as piety of prelates representing the whole body of the faithful, expected some charitable and efficacious endeavours towards composing the dissensions which unhappily had arisen in the Church. But the several popes by whose authority it was called had other objects in view. They exerted all their power or policy to attain these, and by the abilities as well as address of their legates, by the ignorance of many of the prelates, and by the servility of the indigent Italian bishops, acquired such influence in the council that they dictated all its decrees, and framed them, not with an intention to restore unity and concord to the Church, but to establish their own dominion, or to confirm those tenets upon which they imagined that dominion to be founded. Doctrines which had hitherto been admitted upon the credit of tradition alone, and received with some latitude of interpretation, were defined with a scrupulous nicety and confirmed by the sanction of authority. Rites which had formerly been observed only in deference to custom supposed to be ancient were established by the decrees of the Church and declared to be essential parts of its worship. The breach, instead of being closed, was widened and made irreparable. In place of any attempt to reconcile the contending parties, a line was drawn

[37] F. Paul, 353.

with such studied accuracy as ascertained and marked out the distinction between them. This still serves to keep them at a distance, and, without some signal interposition of Divine Providence, must render the separation perpetual.

Our knowledge of the proceedings of this assembly is derived from three different authors. Father Paul, of Venice, wrote his history of the Council of Trent while the memory of what had passed there was recent and some who had been members of it were still alive. He has exposed the intrigues and artifices by which it was conducted with a freedom and severity which have given a deep wound to the credit of the council. He has described its deliberations and explained its decrees with such perspicuity and depth of thought, with such various erudition and such force of reason, as have justly entitled his work to be placed among the most admired historical compositions. About half a century thereafter, the Jesuit Pallavicini published his history of the council, in opposition to that of Father Paul, and, by employing all the force of an acute and refining genius to invalidate the credit or to confute the reasonings of his antagonist, he labours to prove, by artful apologies for the proceedings of the council, and subtile interpretations of its decrees, that it deliberated with impartiality and decided with judgment as well as candour. Vargas, a Spanish doctor of laws, who was appointed to attend the imperial ambassadors at Trent, sent the bishop of Arras a regular account of the transactions there, explaining all the arts which the legate employed to influence or overawe the council. His letters have been published, in which he inveighs against the papal court with that asperity of censure which was natural to a man whose situation enabled him to observe its intrigues thoroughly, and who was obliged to exert all his attention and talents in order to disappoint them. But whichsoever of these authors an intelligent person takes for his guide, in forming a judgment concerning the spirit of the council, he must discover so much ambition as well as artifice among some of the members, so much ignorance and corruption among others, he must observe such a large infusion of human policy and passions, mingled with such a scanty portion of that simplicity of heart, sanctity of manners, and love of truth, which alone qualify men to determine what doctrines are worthy of God and what worship is acceptable to him, that he will find it no easy matter to believe that any extraordinary influence of the Holy Ghost hovered over this assembly and dictated its decrees.

While Maurice was employed in negotiating with the king of the Romans at Lintz, or in making war on the emperor in the Tyrol, the French king had advanced into Alsace as far as Strasburg; and, having demanded leave of the senate to march through the city, he hoped that by repeating the same fraud which he had practised at Metz he might render himself master of the place and by that means secure a passage over the Rhine into the heart of Germany. But the Strasburghers, instructed and put on their guard by the credulity and misfortune of their neighbours, shut their gates, and, having assembled a garrison of five thousand soldiers, repaired their fortifications, razed the houses in their suburbs, and determined to defend themselves to the utmost. At the same time they sent a deputation of their most respectable citizens to the king, in order to divert him from making any hostile attempt upon them. The electors of Treves and Cologne, the duke of Cleves, and other princes in the neighbourhood, interposed in their behalf, beseeching Henry that he would not forget so soon the title which he had generously assumed, and, instead of being the deliverer of Germany, become its oppressor. The Swiss cantons seconded them with zeal, soliciting Henry to spare a city which had long been connected with their community in friendship and alliance.

Powerful as this united intercession was, it would not have prevailed on Henry to forego a prize of so much value, if he had been in a condition to have seized it. But in that age the method of subsisting numerous armies at a distance from the frontiers of their own country was imperfectly understood, and neither the revenues of princes nor their experience in the art of war were equal to the great and complicated efforts which such an undertaking required. The French, though not far removed from their own frontier, began already to suffer from scarcity of provisions, and had no sufficient magazines collected to support them during a siege which must necessarily have been of great length.[38] At the same time, the queen of Hungary, governess of the Low Countries, had assembled a considerable body of troops, which, under the command of Martin de Rossem, laid waste Champagne and threatened the adjacent provinces of France. These concurring circumstances obliged the king, though with reluctance, to abandon the enterprise. But, being willing to acquire some merit with his allies by this retreat which he could not avoid, he pretended to the Swiss that he had taken the resolution merely in compliance with their request;[39] and then, after giving orders that all the horses in his army should be led to drink in the Rhine, as a proof of his having pushed his conquest so far, he marched back towards Champagne.

While the French king and the main army of the confederates were thus employed, Albert of Brandenburg was intrusted with the command of a separate body of eight thousand men, consisting chiefly of mercenaries who had resorted to his standard rather from the hope of plunder than the expectation of regular pay. That prince, seeing himself at the head of such a number of desperate adventurers, ready to follow wherever he should lead them, soon began to disdain a state of subordination, and to form such extravagant schemes of aggrandizing himself as seldom occur, even to ambitious minds, unless when civil war or violent factions rouse them to bold exertions by alluring them with immediate hopes of success. Full of these aspiring thoughts, Albert made war in a manner very different from the other confederates. He endeavoured to spread the terror of his arms by the rapidity of his motions as well as the extent and rigour of his devastations; he exacted contributions wherever he came, in order to amass such a sum of money as would put it in his power to keep his army together; he laboured to get possession of Nuremberg, Ulm, or some other of the free cities in Upper Germany, in which, as a capital, he might fix the seat of his power. But, finding these cities on their guard and in a condition to resist his attacks, he turned all his rage against the popish ecclesiastics, whose territories he plundered with such wanton and merciless barbarity as gave them a very unfavourable impression of the spirit of that reformation in religion with zeal for which he pretended to be animated. The bishops of Bamberg and Wurzburg, by their situation, lay particularly exposed to his ravages: he obliged the former to transfer to him, in perpetuity, almost one-half of his extensive diocese, and compelled the latter to advance a great sum of money in order to save his territories from ruin and desolation. During all those wild sallies, Albert paid no regard either to Maurice's orders, whose commands as generalissimo of the league he had engaged to obey, or to the remonstrances of the other confederates, and manifestly discovered that he attended only to his own private emolument, without any solicitude about the common cause, or the general objects which had induced them to take arms.[40]

Maurice, having ordered his army to march back into Bavaria, and having

[38] Thuan., 351, 352.
[39] Sleid., 557.—Brantôme, tom. vii. 39.
[40] Sleid., 561.—Thuan., 357.

published a proclamation enjoining the Lutheran clergy and instructors of youth to resume the exercise of their functions in all the cities, schools, and universities from which they had been ejected, met Ferdinand at Passau on the twenty-sixth day of May. As matters of the greatest consequence to the future peace and independence of the empire were to be settled in this congress, the eyes of all Germany were fixed upon it. Besides Ferdinand and the imperial ambassadors, the duke of Bavaria, the bishops of Saltzburg and Aichstadt, the ministers of all the electors, together with deputies from most of the considerable princes and free cities, resorted to Passau. Maurice, in the name of his associates, and the king of the Romans, as the emperor's representative, opened the negotiation. The princes who were present, together with the deputies of such as were absent, acted as intercessors or mediators between them.

Maurice, in a long discourse, explained the motives of his own conduct. After having enumerated all the unconstitutional and oppressive acts of the emperor's administration, he, agreeably to the manifesto which he had published when he took arms against him, limited his demands to three articles: that the landgrave of Hesse should be immediately set at liberty; that the grievances in the civil government of the empire should be redressed; and that the Protestants should be allowed the public exercise of their religion without molestation. Ferdinand and the imperial ambassadors discovering their unwillingness to gratify him with regard to all these points, the mediators wrote a joint letter to the emperor, beseeching him to deliver Germany from the calamities of a civil war, by giving such satisfaction to Maurice and his party as might induce them to lay down their arms; and at the same time they prevailed upon Maurice to grant a prolongation of the truce for a short time, during which they undertook to procure the emperor's final answer to his demands. This request was presented to the emperor in the name of all the princes of the empire, Popish as well as Protestant, in the name of such as had lent a helping hand to forward his ambitious schemes, as well as of those who had viewed the progress of his power with jealousy and dread. The uncommon and cordial unanimity with which they concurred at this juncture in enforcing Maurice's demands, and in recommending peace, flowed from different causes. Such as were most attached to the Roman Catholic Church could not help observing that the Protestant confederates were at the head of a numerous army, while the emperor was but just beginning to provide for his own defence. They foresaw that great efforts would be required of them, and would be necessary on their part, in order to cope with enemies who had been allowed to get the start so far and to attain such formidable power. Experience had taught them that the fruit of all these efforts would be reaped by the emperor alone, and the more complete any victory proved which they should gain, the faster would they bind their own fetters and render them the more intolerable. These reflections made them cautious how they contributed a second time by their indiscreet zeal to put the emperor in possession of power which would be fatal to the liberties of their country. Notwithstanding the intolerant spirit of bigotry in that age, they chose rather that the Protestants should acquire that security for their religion which they demanded, than, by assisting Charles to oppress them to give such additional force to the imperial prerogative as would overturn the constitution of the empire. To all these considerations the dread of seeing Germany laid waste by a civil war added new force. Many states of the empire already felt the destructive rage of Albert's arms; others dreaded it; and all wished for an accommodation between the emperor and Maurice, which they hoped would save them from that cruel scourge.

Such were the reasons that induced so many princes, notwithstanding the variety of their political interests and the opposition in their religious sentiments, to unite in recommending to the emperor an accommodation with Maurice, not only as a salutary but as a necessary measure. The motives which prompted Charles to desire it were not fewer or of less weight. He was perfectly sensible of the superiority which the confederates had acquired through his own negligence; and he now felt the insufficiency of his own resources to oppose them. His Spanish subjects, disgusted at his long absence, and weary of endless wars which were of little benefit to their country, refused to furnish him any considerable supply either of men or money; and although by his address or importunity he might have hoped to draw from them at last more effectual aid, that, he knew, was too distant to be of any service in the present exigency of his affairs. His treasury was drained; his veteran forces were dispersed or disbanded, and he could not depend much either on the fidelity or courage of the new-levied soldiers whom he was collecting. There was no hope of repeating with success the same artifices which had weakened and ruined the Smalkaldic league. As the end at which he aimed was now known, he could no longer employ the specious pretexts which had formerly concealed his ambitious designs. Every prince in Germany was alarmed and on his guard; and it was vain to think of binding them a second time to such a degree as to make one part of them instruments to enslave the other. The spirit of a confederacy whereof Maurice was the head, experience had taught him to be very different from that of the league of Smalkalde; and, from what he had already felt he had no reason to flatter himself that its counsels would be as irresolute or its efforts as timid and feeble. If he should resolve on continuing the war, he might be assured that the most considerable states in Germany would take part against him; and a dubious neutrality was the utmost he could expect from the rest. While the confederates found full employment for his arms in one quarter, the king of France would seize the favourable opportunity, and push on his operations in another, with almost certain success. That monarch had already made conquests in the empire, which Charles was no less eager to recover than impatient to be revenged on him for aiding his malecontent subjects. Though Henry had now retired from the banks of the Rhine, he had only varied the scene of hostilities, having invaded the Low Countries with all his forces. The Turks, roused by the solicitations of the French king, as well as stimulated by resentment against Ferdinand for having violated the truce in Hungary, had prepared a powerful fleet to ravage the coasts of Naples and Sicily, which he had left almost defenceless by calling thence the greatest part of the regular troops to join the army which he was now assembling.

Ferdinand, who went in person to Villach, in order to lay before the emperor the result of the conferences at Passau, had likewise reasons peculiar to himself for desiring an accommodation. These prompted him to second with the greatest earnestness the arguments which the princes assembled there had employed in recommending it. He had observed, not without secret satisfaction, the fatal blow that had been given to the despotic power which his brother had usurped in the empire. He was extremely solicitous to prevent Charles from recovering his former superiority, as he foresaw that ambitious prince would immediately resume, with increased eagerness, and with a better chance of success, his favourite scheme of transmitting that power to his son, by excluding his brother from the right of succession to the imperial throne. On this account he was willing to contribute towards circumscribing the imperial authority, in order to render his own possession of it certain. Besides,

Solyman, exasperated at the loss of Transylvania, and still more at the fraudulent arts by which it had been seized, had ordered into the field an army of a hundred thousand men, which, having defeated a great body of Ferdinand's troops and taken several places of importance, threatened not only to complete the conquest of the province, but to drive them out of that part of Hungary which was still subject to his jurisdiction. He was unable to resist such a mighty enemy; the emperor, while engaged in a domestic war, could afford him no aid; and he could not even hope to draw from Germany the contingent, either of troops or of money, usually furnished to repel the invasions of the infidels. Maurice, having observed Ferdinand's perplexity with regard to this last point, had offered, if peace were re-established on a secure foundation, that he would march in person with his troops into Hungary against the Turks. Such was the effect of this well-timed proposal that Ferdinand, destitute of every other prospect of relief, became the most zealous advocate whom the confederates could have employed to urge their claims, and there was hardly anything that they could have demanded which he would not have chosen to grant, rather than have retarded a pacification to which he trusted as the only means of saving his Hungarian crown.

When so many causes conspired in rendering an accommodation eligible, it might have been expected that it would have taken place immediately. But the inflexibility of the emperor's temper, together with his unwillingness at once to relinquish objects which he had long pursued with such earnestness and assiduity, counterbalanced for some time the force of all the motives which disposed him to peace, and not only put that event at a distance, but seemed to render it uncertain. When Maurice's demands, together with the letter of the mediators at Passau, were presented to him, he peremptorily refused to redress the grievances which were pointed out, nor would he agree to any stipulation for the immediate security of the Protestant religion, but proposed referring both these to the determination of a future diet. On his part, he required that instant reparation should be made to all who during the present war had suffered either by the licentiousness of the confederate troops or the exactions of their leaders.

Maurice, who was well acquainted with the emperor's arts, immediately concluded that he had nothing in view by these overtures but to amuse and deceive; and therefore, without listening to Ferdinand's entreaties, he left Passau abruptly, and, joining his troops, which were encamped at Mergentheim, a city in Franconia, belonging to the knights of the Teutonic order, he put them in motion and renewed hostilities. As three thousand men in the emperor's pay had thrown themselves into Frankfort-on-the-Main, and might from thence invest the neighbouring country of Hesse, he marched towards that city and laid siege to it in form. The briskness of this enterprise, and the vigour with which Maurice carried on his approaches against the town, gave such an alarm to the emperor as disposed him to lend a more favourable ear to Ferdinand's arguments in behalf of an accommodation. Firm and haughty as his nature was, he found it necessary to bend, and signified his willingness to make concessions on his part, if Maurice, in return, would abate somewhat of the rigour of his demands. Ferdinand, as soon as he perceived that his brother began to yield, did not desist from his importunities until he prevailed upon him to declare what was the utmost that he would grant for the security of the confederates. Having gained this difficult point, he instantly despatched a messenger to Maurice's camp, and, imparting to him the emperor's final resolution, conjured him not to frustrate his endeavours for the re-establishment of peace, or, by an unseasonable obstinacy on his side, to disappoint the wishes of all Germany for that salutary event.

Maurice, notwithstanding the prosperous situation of his affairs, was strongly inclined to listen to this advice. The emperor, though overreached and surprised, had now begun to assemble troops, and, however slow his motions might be while the first effects of his consternation remained, he was sensible that Charles must at last act with vigour proportional to the extent of his power and territories, and lead into Germany an army formidable by its numbers, and still more by the terror of his name as well as the remembrance of his past victories. He could scarcely hope that a confederacy composed of so many members would continue to operate with union and perseverance sufficient to resist the consistent and well-directed efforts of an army at the absolute disposal of a leader accustomed to command and to conquer. He felt already, although he had not hitherto experienced the shock of any adverse event, that he himself was the head of a disjointed body. He saw from the example of Albert of Brandenburg how difficult it would be, with all his address and credit, to prevent any particular member from detaching himself from the whole, and how impossible to recall him to his proper rank and subordination. This filled him with apprehensions for the common cause. Another consideration gave him no less disquiet with regard to his own particular interests. By setting at liberty the degraded elector, and by repealing the act by which that prince was deprived of his hereditary honours and dominions, the emperor had it in his power to wound him in the most tender part. The efforts of a prince beloved of his ancient subjects, and revered by all the Protestant party, in order to recover what had been unjustly taken from him, could hardly have failed of exciting commotions in Saxony which would endanger all that he had acquired at the expense of so much dissimulation and artifice. It was no less in the emperor's power to render vain all the solicitations of the confederates in behalf of the landgrave. He had only to add one act of violence more to the injustice and rigour with which he had already treated him; and he had accordingly threatened the sons of that unfortunate prince that if they persisted in their present enterprise, instead of seeing their father restored to liberty, they should hear of his having suffered the punishment which his rebellion had merited.[41]

Having deliberated upon all these points with his associates, Maurice thought it more prudent to accept of the conditions offered, though less advantageous than those which he had proposed, than again to commit all to the doubtful issue of war.[42] He repaired forthwith to Passau, and signed the treaty of peace; of which the chief articles were, that before the twelfth day of August the confederates shall lay down their arms and disband their forces; that on or before that day the landgrave shall be set at liberty and conveyed in safety to his castle of Rheinfels; that a diet shall be held within six months, in order to deliberate concerning the most proper and effectual method of preventing for the future all disputes and dissensions about religion; that in the mean time neither the emperor nor any other prince shall, upon any pretext whatever, offer any injury or violence to such as adhered to the Confession of Augsburg, but allow them to enjoy the free and undisturbed exercise of their religion; that, in return, the Protestants shall not molest the Catholics, either in the exercise of the ecclesiastical jurisdiction or in performing their religious ceremonies; that the imperial chamber shall administer justice impartially to persons of both parties, and Protestants to be admitted indiscriminately with the Catholics to sit as judges in that court; that if the next diet should not be able to terminate the disputes with regard to religion, the stipulations in the present treaty in behalf of the Protestants shall continue for ever in full

[41] Sleid., 571. [42] Sleid., Hist., 563, etc.—Thuan., lib. x. 359, etc.

force and vigour; that none of the confederates shall be liable to any action on account of what had happened during the course of the war; that the consideration of those encroachments which had been made, as Maurice pretended, upon the constitution and liberties of the empire, shall be remitted to the approaching diet; that Albert of Brandenburg shall be comprehended in the treaty, provided he shall accede to it and disband his forces before the twelfth of August.[43]

Such was the memorable treaty of Passau, that overturned the vast fabric in erecting which Charles had employed so many years and had exerted the utmost efforts of his power and policy; that annulled all his regulations with regard to religion, defeated all his hopes of rendering the imperial authority absolute and hereditary in his family, and established the Protestant Church, which had hitherto subsisted precariously in Germany, through connivance or by expedients, upon a firm and secure basis. Maurice reaped all the glory of having concerted and completed this unexpected revolution. It is a singular circumstance that the Reformation should be indebted for its security and full establishment in Germany to the same hand which had brought it to the brink of destruction, and that both events should have been accomplished by the same arts of dissimulation. The ends, however, which Maurice had in view at those different junctures seem to have been more attended to than the means by which he attained them; and he was now as universally extolled for his zeal and public spirit as he had lately been condemned for his indifference and interested policy. It is no less worthy of observation that the French king, a monarch zealous for the Catholic faith, should employ his power in order to protect and maintain the Reformation in the empire, at the very time when he was persecuting his own Protestant subjects with all the fierceness of bigotry, and that the league for this purpose, which proved so fatal to the Romish Church, should be negotiated and signed by a Roman Catholic bishop. So wonderfully doth the wisdom of God superintend and regulate the caprice of human passions and render them subservient towards the accomplishment of his own purposes.

Little attention was paid to the interests of the French king during the negotiations at Passau. Maurice and his associates, having gained what they had in view, discovered no great solicitude about an ally whom perhaps they reckoned to be overpaid for the assistance which he had given them by his acquisitions in Lorraine. A short clause which they procured to be inserted in the treaty, importing that the king of France might communicate to the confederates his particular pretensions or causes of hostility, which they would lay before the emperor, was the only sign that they gave of their remembering how much they had been indebted to him for their success. Henry experienced the same treatment which every prince who lends his aid to the authors of a civil war may expect. As soon as the rage of faction began to subside, and any prospect of accommodation to open, his services were forgotten, and his associates made a merit with their sovereign of the ingratitude with which they abandoned their protector. But how much soever Henry might be enraged at the perfidy of his allies, or at the impatience with which they hastened to make their peace with the emperor at his expense, he was perfectly sensible that it was more his interest to keep well with the Germanic body than to resent the indignities offered him by any particular members of it. For that reason he dismissed the hostages which he had received from Maurice and his associates, and affected to talk in the same strain as formerly concerning his zeal for maintaining the ancient constitution and liberties of the empire.

[43] Recueil des Traités, ii. 261.

BOOK XI.

Maurice marches against the Turks—The Landgrave and the Elector recover their Liberty—The Emperor makes War upon France—The Siege of Metz—Losses of the Emperor in Italy—Descent of the Turks upon the Kingdom of Naples—Confederacy under the Lead of Maurice against Albert of Brandenburg—Maurice is slain in Battle, but Albert is defeated, and afterwards driven out of Germany—Success of the Emperor in the Netherlands—His Losses in Hungary and Italy—The Family Troubles of Solyman—The Ambition of his Mistress Roxalana, and the Fate of his Son Mustapha—Marriage of Philip with Mary of England—Efforts of Mary to overthrow Protestantism—Henry conducts a vigorous Campaign against the Emperor—Cosmo de' Medici's Schemes—The French under Strozzi defeated—Siege of Siena—Retreat of the Duke of Alva from Piedmont—Conspiracy to betray Metz discovered—Diet at Augsburg—Death of Pope Julius—Charles endeavours anew to acquire the Imperial Crown for his Son Philip—The Peace of Religion established—Pope Marcellus II.—Pope Paul IV., and the ambitious Schemes of his Nephews—The Emperor abdicates in favour of his Son Philip—Peace between France and Spain—The Pope attempts to rekindle War—The Duke of Alva takes the Field against him—A Truce between the Pope and Philip.

As soon as the treaty of Passau was signed, Maurice, in consequence of his engagements with Ferdinand, marched into Hungary at the head of twenty thousand men. But the great superiority of the Turkish armies, the frequent mutinies both of the Spanish and German soldiers, occasioned by their want of pay, together with the dissensions between Maurice and Castaldo, who was piqued at being obliged to resign the chief command to him, prevented his performing anything in that country suitable to his former fame, or of great benefit to the king of the Romans.[1]

When Maurice set out for Hungary, the prince of Hesse parted from him with the forces under his command, and marched back into his own country, that he might be ready to receive his father upon his return and give up to him the reins of government which he had held during his absence. But fortune was not yet weary of persecuting the landgrave. A battalion of mercenary troops which had been in the pay of Hesse, being seduced by Reifenberg, their colonel, a soldier of fortune, ready to engage in any enterprise, secretly withdrew from the young prince as he was marching homewards, and joined Albert of Brandenburg, who still continued in arms against the emperor, refusing to be included in the treaty of Passau. Unhappily for the landgrave, an account of this reached the Netherlands just as he was dismissed from the citadel of Mechlin, where he had been confined, but before he had got beyond the frontiers of that country. The queen of Hungary, who governed there in her brother's name, incensed at such an open violation of the treaty to which he owed his liberty, issued orders to arrest him, and committed him again into the custody of the same Spanish captain who had guarded him for five years with the most severe vigilance. Philip beheld all the horrors of his imprisonment renewed; and, his spirits subsiding in the same proportion as they had risen during the short interval in which he had enjoyed liberty, he sunk into

[1] Istuanhaffii Hist. Hungar., 288.—Thuan., lib. x. 371.

despair, and believed himself to be doomed to perpetual captivity. But the matter being so explained to the emperor as fully satisfied him that the revolt of Reifenberg's mercenaries could be imputed neither to the landgrave nor to his son, he gave orders for his release; and Philip at last obtained the liberty for which he had so long languished.[2] But, though he recovered his freedom and was reinstated in his dominions, his sufferings seem to have broken the vigour and to have extinguished the activity of his mind. From being the boldest as well as most enterprising prince in the empire, he became the most timid and cautious, and passed the remainder of his days in a pacific indolence.

The degraded elector of Saxony likewise procured his liberty in consequence of the treaty of Passau. The emperor, having been obliged to relinquish all his schemes for extirpating the Protestant religion, had no longer any motive for detaining him a prisoner; and, being extremely solicitous at that juncture to recover the confidence and good will of the Germans, whose assistance was essential to the success of the enterprise which he meditated against the king of France, he, among other expedients for that purpose, thought of releasing from imprisonment a prince whose merit entitled him no less to esteem than his sufferings rendered him the object of compassion. John Frederic took possession, accordingly, of that part of his territories which had been reserved for him when Maurice was invested with the electoral dignity. As in this situation he continued to display the same virtuous magnanimity for which he had been conspicuous in a more prosperous and splendid state, and which he had retained amidst all his sufferings, he maintained during the remainder of his life that high reputation to which he had so just a title.

The loss of Metz, Toul, and Verdun had made a deep impression on the emperor. Accustomed to terminate all his operations against France with advantage to himself, he thought that it nearly concerned his honour not to allow Henry the superiority in this war, or to suffer his own administration to be stained with the infamy of having permitted territories of such consequence to be dismembered from the empire. This was no less a point of interest than of honour. As the frontier of Champagne was more naked and lay more exposed than that of any province in France, Charles had frequently, during his wars with that kingdom, made inroads upon that quarter with great success and effect; but if Henry were allowed to retain his late conquests, France would gain such a formidable barrier on that side as to be altogether secure where formerly she had been weakest. On the other hand, the emperor had now lost as much, in point of security, as France had acquired, and, being stripped of the defence which those cities afforded it, lay open to be invaded on a quarter where all the towns, having been hitherto considered as interior and remote from an enemy, were but slightly fortified. These considerations determined Charles to attempt recovering the three towns of which Henry had made himself master; and the preparations which he had made against Maurice and his associates enabled him to carry his resolution into immediate execution.

As soon, then, as the peace was concluded at Passau, he left his inglorious retreat at Villach, and advanced to Augsburg, at the head of a considerable body of Germans which he had levied, together with all the troops which he had drawn out of Italy and Spain. To these he added several battalions, which, having been in the pay of the confederates, entered into his service when dismissed by them; and he prevailed likewise on some princes of the empire to join him with their vassals. In order to conceal the destination of

[2] Sleid., 573.—Belcarii Comment., 834.

this formidable army, and to guard against alarming the French king so as to put him on preparing for the defence of his late conquests, he gave out that he was to march forthwith into Hungary, in order to second Maurice in his operations against the infidels. When he began to advance towards the Rhine, and could no longer employ that pretext, he tried a new artifice, and spread a report that he took this route in order to chastise Albert of Brandenburg, whose cruel exactions in that part of the empire called loudly for his interposition to check them.

But the French, having grown acquainted at last with arts by which they had been so often deceived, viewed all Charles's motions with distrust. Henry immediately discerned the true object of his vast preparations, and resolved to defend the important conquests which he had gained with vigour equal to that with which they were about to be attacked. As he foresaw that the whole weight of the war would be turned against Metz, by whose fate that of Toul and Verdun would be determined, he nominated Francis of Lorraine, duke of Guise, to take the command in that city during the siege, the issue of which would equally affect the honour and interest of his country. His choice could not have fallen upon any person more worthy of that trust. The duke of Guise possessed in a high degree all the talents of courage, sagacity, and presence of mind which render men eminent in military command. He was largely endowed with that magnanimity of soul which delights in bold enterprises and aspires to fame by splendid and extraordinary actions. He repaired with joy to the dangerous station assigned him, as to a theatre on which he might display his great qualities under the immediate eye of his countrymen, all ready to applaud him. The martial genius of the French nobility in that age, which considered it as the greatest reproach to remain inactive when there was any opportunity of signalizing their courage, prompted great numbers to follow a leader who was the darling as well as the pattern of every one that courted military fame. Several princes of the blood, many noblemen of the highest rank, and all the young officers who could obtain the king's permission, entered Metz as volunteers. By their presence they added spirit to the garrison, and enabled the duke of Guise to employ, on every emergency, persons eager to distinguish themselves and fit to conduct any service.

But, with whatever alacrity the duke of Guise undertook the defence of Metz, he found everything, upon his arrival there, in such a situation as might have induced any person of less intrepid courage to despair of defending it with success. The city was of great extent, with large suburbs; the walls were in many places feeble and without ramparts; the ditch narrow; and the old towers which projected instead of bastions were at too great distance from each other to defend the space between them. For all these defects he endeavoured to provide the best remedy which the time would permit. He ordered the suburbs, without sparing the monasteries or churches, not even that of St. Arnulph, in which several kings of France had been buried, to be levelled with the ground; but, in order to guard against the imputation of impiety to which such a violation of so many sacred edifices, as well as of the ashes of the dead, might expose him, he executed this with much religious ceremony. Having ordered all the holy vestments and utensils, together with the bones of the kings and other persons deposited in these churches, to be removed, they were carried in solemn procession to a church within the walls, he himself walking before them bareheaded, with a torch in his hand. He then pulled down such houses as stood near the walls, cleared and enlarged the ditch, repaired the ruinous fortifications, and erected new ones. As it was necessary that all these works should be finished with the utmost expedi-

tion, he laboured at them with his own hands; the officers and volunteers imitated his example; and the soldiers submitted with cheerfulness to the most severe and fatiguing service, when they saw that their superiors did not decline to bear a part in it. At the same time, he compelled all useless persons to leave the place; he filled the magazines with provisions and military stores; he burnt the mills and destroyed the corn and forage for several miles round the town. Such were his popular talents, as well as his arts of acquiring an ascendant over the minds of men, that the citizens seconded him with no less ardour than the soldiers; and, every other passion being swallowed up in the zeal to repulse the enemy with which he inspired them, they beheld the ruin of their estates, together with the havoc which he made among their public and private buildings, without any emotion of resentment.[3]

Meantime, the emperor, having collected all his forces, continued his march towards Metz. As he passed through the cities on the Rhine, he saw the dismal effects of that licentious and wasteful war which Albert had carried on in these parts. Upon his approach, that prince, though at the head of twenty thousand men, withdrew into Lorraine, as if he had intended to join the French king, whose arms he had quartered with his own in all his standards and ensigns. Albert was not in a condition to cope with the imperial troops,[4] which amounted at least to sixty thousand men, forming one of the most numerous and best-appointed armies which had been brought into the field during that age, in any of the wars among Christian princes.

The chief command, under the emperor, was committed to the duke of Alva, assisted by the marquis de Marignano, together with the most experienced of the Italian and Spanish generals. As it was now towards the end of October, these intelligent officers represented the great danger of beginning, at such an advanced season, a siege which could not fail to prove very tedious. But Charles adhered to his own opinion with his usual obstinacy, and, being confident that he had made such preparations and taken such precautions as would insure success, he ordered the city to be invested. As soon as the duke of Alva appeared, a large body of the French sallied out and attacked his vanguard with great vigour, put it in confusion, and killed or took prisoners a considerable number of men. By this early specimen which they gave of the conduct of their officers as well as the valour of their troops, they showed the imperialists what an enemy they had to encounter, and how dear every advantage must cost them. The place, however, was completely invested, the trenches were opened, and the other works begun.

The attention both of the besiegers and besieged was turned for some time towards Albert of Brandenburg, and they strove with emulation which should gain that prince, who still hovered in the neighbourhood, fluctuating in all the uncertainty of irresolution natural to a man who, being swayed by no principle, was allured different ways by contrary views of interest. The French tempted him with offers extremely beneficial; the imperialists scrupled at no promise which they thought might allure him. After much hesitation, he was gained by the emperor, from whom he expected to receive advantages which were both more immediate and more permanent. As the French king, who began to suspect his intentions, had appointed a body of troops, under the duke of Aumale, brother to the duke of Guise, to watch his motions, Albert fell upon them unexpectedly with such vigour that he routed them entirely, killed many of the officers, wounded Aumale himself, and took him prisoner. Immediately after this victory he marched in triumph to Metz and joined his army to that of the emperor. Charles, in reward for this service and the great

[3] Thuan., xi. 387. [4] Natal. Comitis Hist., 127.

accession of strength which he brought him, granted Albert a formal pardon of all past offences, and confirmed him in the possession of the territories which he had violently usurped during the war.[5]

The duke of Guise, though deeply affected with his brother's misfortune, did not remit in any degree the vigour with which he defended the town. He harassed the besiegers by frequent sallies, in which his officers were so eager to distinguish themselves that, his authority being hardly sufficient to restrain the impetuosity of their courage, he was obliged at different times to shut the gates and to conceal the keys, in order to prevent the princes of the blood and noblemen of the first rank from exposing themselves to danger in every sally. He repaired in the night what the enemy's artillery had beat down during the day, or erected behind the ruined works new fortifications of almost equal strength. The imperialists, on their part, pushed on the attack with great spirit, and carried forward at once approaches against different parts of the town. But the art of attacking fortified places was not then arrived at that degree of perfection to which it was carried towards the close of the sixteenth century, during the long war in the Netherlands. The besiegers, after the unwearied labour of many weeks, found that they had made but little progress; and, although their batteries had made breaches in different places, they saw, to their astonishment, works suddenly appear, in demolishing which their fatigues and dangers would be renewed. The emperor, enraged at the obstinate resistance which his army met with, left Thionville, where he had been confined by a violent fit of the gout; and, though still so infirm that he was obliged to be carried in a litter, he repaired to the camp, that by his presence he might animate the soldiers and urge on the attack with greater spirit. Upon his arrival, new batteries were erected, and new efforts were made with redoubled ardour.

But by this time winter had set in with great rigour; the camp was alternately deluged with rain or covered with snow; at the same time provisions were become extremely scarce, as a body of French cavalry which hovered in the neighbourhood often interrupted the convoys or rendered their arrival difficult and uncertain. Diseases began to spread among the soldiers, especially among the Italians and Spaniards, unaccustomed to such inclement weather; great numbers were disabled from serving, and many died. At length such breaches were made as seemed practicable, and Charles resolved to hazard a general assault, in spite of all the remonstrances of his generals against the imprudence of attacking a numerous garrison, conducted and animated by the most gallant of the French nobility, with an army weakened by diseases and disheartened with ill success. The duke of Guise, suspecting the emperor's intentions from the extraordinary movements which he observed in the enemy's camp, ordered all his troops to their respective posts. They appeared immediately on the walls, and behind the breaches, with such a determined countenance, so eager for the combat, and so well prepared to give the assailants a warm reception, that the imperialists, instead of advancing to the charge when the word of command was given, stood motionless in a timid, dejected silence. The emperor, perceiving that he could not trust troops whose spirits were so much broken, retired abruptly to his quarters, complaining that he was now deserted by his soldiers, who deserved no longer the name of men.[6]

Deeply as this behaviour of his troops mortified and affected Charles, he would not hear of abandoning the siege, though he saw the necessity of changing the method of attack. He suspended the fury of his batteries, and

[5] Sleid., 575.—Thuan., lib. xi. 389, 392. [6] Thuan., 397.

proposed to proceed by the more secure but tedious method of sapping. But, as it still continued to rain or to snow almost incessantly, such as were employed in this service endured incredible hardships; and the duke of Guise, whose industry was not inferior to his valour, discovering all their mines, counterworked them, and prevented their effect. At last, Charles, finding it impossible to contend any longer with the severity of the season, and with enemies whom he could neither overpower by force nor subdue by art, while at the same time a contagious distemper raged among his troops and cut off daily great numbers of the officers as well as soldiers, yielded to the solicitations of his generals, who conjured him to save the remains of his army by a timely retreat. "Fortune," says he, "I now perceive, resembles other females, and chooses to confer her favours on young men, while she turns her back on those who are advanced in years."

Upon this, he gave orders immediately to raise the siege, and submitted to the disgrace of abandoning the enterprise, after having continued fifty-six days before the town, during which time he had lost upwards of thirty thousand men, who died of diseases or were killed by the enemy. The duke of Guise, as soon as he perceived the intention of the imperialists, sent out several bodies, both of cavalry and infanty, to infest their rear, to pick up stragglers, and to seize every opportunity of attacking them with advantage. Such was the confusion with which they made their retreat that the French might have harassed them in a most cruel manner. But when they sallied out, a spectacle presented itself to their view which extinguished at once all hostile rage and melted them into tenderness and compassion. The imperial camp was filled with the sick and wounded, with the dead and the dying. In all the different roads by which the army retired, numbers were found who, having made an effort to escape beyond their strength, were left, when they could go no further, to perish without assistance. This they received from their enemies, and were indebted to them for all the kind offices which their friends had not the power to perform. The duke of Guise immediately ordered proper refreshments for such as were dying of hunger; he appointed surgeons to attend the sick and wounded; he removed such as could bear it into the adjacent villages; and those who would have suffered by being carried so far, he admitted into the hospitals which he had fitted up in the city for his own soldiers. As soon as they recovered, he sent them home under an escort of soldiers and with money to bear their charges. By these acts of humanity, which were uncommon in that age, when war was carried on with greater rancour and ferocity than at present, the duke of Guise completed the fame which he had acquired by his gallant and successful defence of Metz, and engaged those whom he had vanquished to vie with his own countrymen in extolling his name.[7]

To these calamities in Germany were added such unfortunate events in Italy as rendered this the most disastrous year in the emperor's life. During his residence at Villach, Charles had applied to Cosmo de' Medici for the loan of two hundred thousand crowns. But his credit at that time was so low that in order to obtain this inconsiderable sum he was obliged to put him in possession of the principality of Piombino, and by giving up that he lost the footing which he had hitherto maintained in Tuscany, and enabled Cosmo to assume for the future the tone and deportment of a prince altogether independent. Much about the time that his indigence constrained him to part with this valuable territory, he lost Siena, which was of still greater consequence, through the ill conduct of Don Diego de Mendoza.[8]

[7] Sleid., 575.—Thuan., lib. xi. 389, etc.—Père Daniel, Hist. de France, tom. iii. 392.—Père Daniel's account of this siege is taken from the journal of the Sieur de Saligna c, who was present. Natal. Com t. Hist., 129.

[8] Thuan., lib. xi. 376.

Siena, like most of the great cities in Italy, had long enjoyed a republican government, under the protection of the empire; but, being torn in pieces by the dissensions between the nobility and the people which divided all the Italian commonwealths, the faction of the people, which gained the ascendant, besought the emperor to become the guardian of the administration which they had established, and admitted into their city a small body of Spanish soldiers whom he had sent to countenance the execution of the laws and to preserve tranquillity among them. The command of these troops was given to Mendoza, at that time ambassador for the emperor at Rome, who persuaded the credulous multitude that it was necessary, for their security against any future attempt of the nobles, to allow him to build a citadel in Siena; and, as he flattered himself that by means of this fortress he might render the emperor master of the city, he pushed on the works with all possible despatch. But he threw off the mask too soon. Before the fortifications were completed, he began to indulge his natural haughtiness and severity of temper and to treat the citizens with great insolence. At the same time the soldiers in garrison, being paid as irregularly as the emperor's troops usually were, lived almost at discretion upon the inhabitants, and were guilty of many acts of license and oppression.

These injuries awakened the Sienese to a sense of their danger. As they saw the necessity of exerting themselves while the unfinished fortifications of the citadel left them any hopes of success, they applied to the French ambassador at Rome, who readily promised them his master's protection and assistance. At the same time, forgetting their domestic animosities when such a mortal blow was aimed at the liberty and existence of the republic, they sent agents to the exiled nobles and invited them to concur with them in saving their country from the servitude with which it was threatened. As there was not a moment to lose, measures were concerted speedily, but with great prudence, and were executed with equal vigour. The citizens rose suddenly in arms; the exiles flocked into the town from different parts with all their partisans and what troops they could draw together; and several bodies of mercenaries in the pay of France appeared to support them. The Spaniards, though surprised and much inferior in number, defended themselves with great courage; but, seeing no prospect of relief, and having no hopes of maintaining their station long in a half-finished fortress, they soon gave it up. The Sienese, with the utmost alacrity, levelled it with the ground, that no monument might remain of that odious structure which had been raised in order to enslave them. At the same time, renouncing all connection with the emperor, they sent ambassadors to thank the king of France as the restorer of their liberty, and to entreat that he would secure to them the perpetual enjoyment of that blessing by continuing his protection to their republic.[9]

To these misfortunes, one still more fatal had almost succeeded. The severe administration of Don Pedro de Toledo, viceroy of Naples, having filled that kingdom with murmuring and disaffection, the prince of Salerno, the head of the malecontents, had fled to the court of France, where all who bore ill will to the emperor or his ministers were sure of finding protection and assistance. That nobleman, in the usual style of exiles, boasting much of the number and power of his partisans and of his great influence with them, prevailed on Henry to think of invading Naples, from an expectation of being joined by all those with whom the prince of Salerno held correspondence, or who were dissatisfied with Toledo's government. But, though the first hint of this enter-

[9] Pecci, Mémoire de Siéna, vol. iii. pp. 230, 261.—Thuan, 375, 377, etc.—Paruta, Hist. Venet., 267.—Mém. de Ribier, 424, etc.

prise was suggested by the prince of Salerno, Henry did not choose that its success should entirely depend upon his being able to fulfil the promises which he had made. He applied for aid to Solyman, whom he courted, after his father's example, as his most vigorous auxiliary against the emperor, and solicited him to second his operations by sending a powerful fleet into the Mediterranean. It was not difficult to obtain what he requested of the sultan, who at this time was highly incensed against the house of Austria on account of the proceedings in Hungary. He ordered a hundred and fifty ships to be equipped, that they might sail towards the coast of Naples, at whatever time Henry should name, and might co-operate with the French troops in their attempts upon that kingdom. The command of this fleet was given to the corsair Dragut, an officer trained up under Barbarossa, and scarcely inferior to his master in courage, in talents, or in good fortune. He appeared on the coast of Calabria at a time which had been agreed on, landed at several places, plundered and burnt several villages, and at last, casting anchor in the Bay of Naples, filled that city with consternation. But as the French fleet, detained by some accident which the contemporary historians have not explained, did not join the Turks according to concert, they, after waiting twenty days without hearing any tidings of it, set sail for Constantinople, and thus delivered the viceroy of Naples from the terror of an invasion which he was not in a condition to have resisted.[10]

As the French had never given so severe a check to the emperor in any former campaign, they expressed immoderate joy at the success of their arms. Charles himself, accustomed to a long series of prosperity, felt the calamity most sensibly, and retired from Metz into the Low Countries, much dejected with the cruel reverse of fortune which affected him in his declining age, when the violence of the gout had increased to such a pitch as entirely broke the vigour of his constitution and rendered him peevish, difficult of access, and often incapable of applying to business. But whenever he enjoyed any interval of ease, all his thoughts were bent on revenge; and he deliberated with the greatest solicitude concerning the most proper means of annoying France, and of effacing the stain which had obscured the reputation and glory of his arms. All the schemes concerning Germany which had engrossed him so long being disconcerted by the peace of Passau, the affairs of the empire became only secondary objects of attention; and enmity to France was the predominant passion which chiefly occupied his mind.

The turbulent ambition of Albert of Brandenburg excited violent commotions, which disturbed the empire during this year. That prince's troops, having shared in the calamities of the siege of Metz, were greatly reduced in number. But the emperor, prompted by gratitude for his distinguished services on that occasion, or perhaps with a secret view of fomenting divisions among the princes of the empire, having paid up all the money due to him, he was enabled with that sum to hire so many of the soldiers dismissed from the imperial army that he was soon at the head of a body of men as numerous as ever. The bishops of Bamberg and Wurzburg having solicited the imperial chamber to annul by its authority the iniquitous conditions which Albert had compelled them to sign, that court unanimously found all their engagements with him to be void in their own nature, because they had been extorted by force, enjoined Albert to renounce all claim to the performance of them, and, if he should persist in such an unjust demand, exhorted all the princes of the empire to take arms against him as a disturber of the public tranquillity. To this decision Albert opposed the confirmation of his transactions with the two

[10] Thuan., 375, 380.—Mém. de Ribier, ii. 403.—Giannone.

prelates, which the emperor had granted him as the reward of his having joined the imperial army at Metz; and in order to intimidate his antagonists, as well as to convince them of his resolution not to relinquish his pretensions, he put his troops in motion, that he might secure the territory in question. Various endeavours were employed, and many expedients proposed, in order to prevent the kindling of a new war in Germany. But, the same warmth of temper which rendered Albert turbulent and enterprising inspiring him with the most sanguine hopes of success even in his wildest undertakings, he disdainfully rejected all reasonable overtures of accommodation.

Upon this the imperial chamber issued its decree against him, and required the elector of Saxony, together with several other princes mentioned by name, to take arms in order to carry it into execution. Maurice and those associated with him were not unwilling to undertake this service. They were extremely solicitous to maintain public order by supporting the authority of the imperial chamber, and saw the necessity of giving a timely check to the usurpations of an ambitious prince who had no principle of action but regard to his own interest and no motive to direct him but the impulse of ungovernable passions. They had good reason to suspect that the emperor encouraged Albert in his extravagant and irregular proceedings, and secretly afforded him assistance, that by raising him up to rival Maurice in power he might in any future broil make use of his assistance to counterbalance and control the authority which the other had acquired in the empire.[11]

These considerations united the most powerful princes in Germany in a league against Albert, of which Maurice was declared generalissimo. This formidable confederacy, however, wrought no change in Albert's sentiments; but, as he knew that he could not resist so many princes if he should allow them time to assemble their forces, he endeavoured by his activity to deprive them of all the advantages which they might derive from their united power and numbers, and for that reason marched directly against Maurice, the enemy whom he dreaded most. It was happy for the allies that the conduct of their affairs was committed to a prince of such abilities. He, by his authority and example, had inspired them with vigour; and, having carried on their preparations with a degree of rapidity of which confederate bodies are seldom capable, he was in a condition to face Albert before he could make any considerable progress.

Their armies, which were nearly equal in number, each consisting of twenty-four thousand men, met at Sieverhausen, in the duchy of Lunenburg; and the violent animosity against each other which possessed the two leaders did not suffer them to continue long inactive. The troops, inflamed with the same hostile rage, marched fiercely to the combat; they fought with the greatest obstinacy; and, as both generals were capable of availing themselves of every favourable occurrence, the battle remained long doubtful, each gaining ground upon the other alternately. At last victory declared for Maurice, who was superior in cavalry, and Albert's army fled in confusion, leaving four thousand dead on the field, and their camp, baggage, and artillery in the hands of the conquerors. The allies bought their victory dear; their best troops suffered greatly; two sons of the duke of Brunswick, a duke of Lunenburg, and many other persons of distinction were among the number of the slain.[12] But all these were soon forgotten; for Maurice himself, as he led up

[11] Sleid., 585.—Mém. de Ribier, ii. 442.—Arnoldi Vita Maurit., ap Menken, ii. 1242.

[12] Historia Pugnæ infelicis inter Maurit. et Albert. Thom. Wintzero auctore, apud Scard., ii. 559. — Sleid., 583. — Ruscelli, Epistres aux Princes, 154.—Arnoldi Vita Maurit., 1245.

to a second charge a body of horse which had been broken, received a wound with a pistol-bullet in the belly, of which he died two days after the battle, in the thirty-second year of his age, and in the sixth after his attaining the electoral dignity.

Of all the personages who have appeared in the history of this active age, when great occurrences and sudden revolutions called forth extraordinary talents to view and afforded them full opportunity to display themselves, Maurice may justly be considered as the most remarkable. If his exorbitant ambition, his profound dissimulation, and his unwarrantable usurpation of his kinsman's honours and dominions exclude him from being praised as a virtuous man, his prudence in concerting his measures, his vigour in executing them, and the uniform success with which they were attended entitle him to the appellation of a great prince. At an age when impetuosity of spirit commonly predominates over political wisdom, when the highest effort even of a genius of the first order is to fix on a bold scheme and to execute it with promptitude and courage, he formed and conducted an intricate plan of policy which deceived the most artful monarch in Europe. At the very juncture when the emperor had attained to almost unlimited despotism, Maurice, with power seemingly inadequate to such an undertaking, compelled him to relinquish all his usurpations, and established not only the religious but civil liberties of Germany on such foundations as have hitherto remained unshaken. Although at one period of his life his conduct excited the jealousy of the Protestants, and at another drew on him the resentment of the Roman Catholics, such was his masterly address that he was the only prince of the age who in any degree possessed the confidence of both, and whom both lamented as the most able as well as faithful guardian of the constitution and laws of his country.

The consternation which Maurice's death occasioned among his troops prevented them from making the proper improvement of the victory which they had gained. Albert, whose active courage and profuse liberality rendered him the darling of such military adventurers as were little solicitous about the justice of his cause, soon reassembled his broken forces, and made fresh levies with such success that he was quickly at the head of fifteen thousand men, and renewed his depredations with additional fury. But Henry of Brunswick, having taken the command of the allied troops, defeated him in a second battle, scarcely less bloody than the former. Even then his courage did not sink, nor were his resources exhausted. He made several efforts, and some of them very vigorous, to retrieve his affairs; but, being laid under the ban of the empire by the imperial chamber, being driven by degrees out of all his hereditary territories, as well as those which he had usurped, being forsaken by many of his officers, and overpowered by the number of his enemies, he fled for refuge into France. After having been for a considerable time the terror and scourge of Germany, he lingered out some years in an indigent and dependent state of exile, the miseries of which his restless and arrogant spirit endured with the most indignant impatience. Upon his death without issue, his territories, which had been seized by the princes who took arms against him, were restored, by a decree of the emperor, to his collateral heirs of the house of Brandenburg.[13] [1557.]

Maurice having left only one daughter, who was afterwards married to William, prince of Orange, by whom she had a son who bore his grandfather's name and inherited the great talents for which he was conspicuous, a violent dispute arose concerning the succession to his honours and territories. John Frederic, the degraded elector, claimed the electoral dignity and that part of

[13] Sleid., 592, 594, 599.—Struv., Corp. Hist. Germ., 1075.

his patrimonial estate of which he had been violently stripped after the Smalkaldic war. Augustus, Maurice's only brother, pleaded his right not only to the hereditary possessions of their family but to the electoral dignity and to the territories which Maurice had acquired. As Augustus was a prince of considerable abilities, as well as of great candour and gentleness of manners, the states of Saxony, forgetting the merits and sufferings of their former master, declared warmly in his favour. His pretensions were powerfully supported by the king of Denmark, whose daughter he had married, and zealously espoused by the king of the Romans out of regard to Maurice's memory. The degraded elector, though secretly favoured by his ancient enemy the emperor, was at last obliged to relinquish his claim, upon obtaining a small addition to the territories which had been allotted to him, together with a stipulation securing to his family the eventual succession upon the failure of male heirs in the Albertine line. That unfortunate but magnanimous prince died next year, soon after ratifying this treaty of agreement; and the electoral dignity is still possessed by the descendants of Augustus.[14]

During these transactions in Germany, war was carried on in the Low Countries with considerable vigour. The emperor, impatient to efface the stain which his ignominious repulse at Metz left upon his military reputation, had an army early on the field, and laid siege to Terouenne. Though the town was of such importance that Francis used to call it one of the two pillars on which a king of France might sleep with security, the fortifications were in bad repair. Henry, trusting to what had happened at Metz, thought nothing more was necessary to render all the efforts of the enemy abortive than to reinforce the garrison with a considerable number of the young nobility. But D'Essé, a veteran officer who commanded them, being killed, and the imperialists pushing the siege with great vigour and perseverance, the place was taken by assault. That it might not fall again into the hands of the French, Charles ordered not only the fortifications but the town itself to be razed, and the inhabitants to be dispersed in the adjacent cities. Elated with this success, the imperialists immediately invested Hesden, which, though defended with great bravery, was likewise taken by assault, and such of the garrison as escaped the sword were taken prisoners. The emperor intrusted the conduct of the siege to Emanuel Philibert of Savoy, prince of Piedmont, who on that occasion gave the first display of those great talents of military command which soon entitled him to be ranked among the first generals of the age, and facilitated his re-establishment in his hereditary dominions, the greater part of which, having been overrun by Francis in his expeditions into Italy, were still retained by Henry.[15]

The loss of these towns, together with so many persons of distinction, either killed or taken by the enemy, was no inconsiderable calamity to France, and Henry felt it very sensibly; but he was still more mortified at the emperor's having recovered his wonted superiority in the field so soon after the blow at Metz, which the French had represented as fatal to his power. He was ashamed, too, of his own remissness and excessive security at the opening of the campaign; and, in order to repair that error, he assembled a numerous army and led it into the Low Countries.

Roused at the approach of such a formidable enemy, Charles left Brussels, where he had been shut up so closely during seven months that it came to be believed in many parts of Europe that he was dead; and, though he was so much debilitated by the gout that he could hardly bear the motion of a litter,

[14] Sleid., 587.—Thuan., 409.—Struv., Corp. Hist. Germ.

[15] Thuan., 411.—Haræi Annales Brabant., 669.

he hastened to join his army. The eyes of all Europe were turned with expectation towards those mighty and exasperated rivals, between whom a decisive battle was now thought unavoidable. But Charles having prudently declined to hazard a general engagement, and the violence of the autumnal rains rendering it impossible for the French to undertake any siege, they retired, without having performed anything suitable to the great preparations which they had made.[16]

The imperial arms were not attended with the same success in Italy. The narrowness of the emperor's finances seldom allowed him to act with vigour in two different places at the same time; and, having exerted himself to the utmost in order to make a great effort in the Low Countries, his operations on the other side of the Alps were proportionably feeble. The viceroy of Naples, in conjunction with Cosmo de' Medici, who was greatly alarmed at the introduction of French troops into Siena, endeavoured to become master of that city. But, instead of reducing the Sienese, the imperialists were obliged to retire abruptly, in order to defend their own country, upon the appearance of the Turkish fleet, which threatened the coast of Naples; and the French not only established themselves more firmly in Tuscany, but, by the assistance of the Turks, conquered a great part of the island of Corsica, subject at that time to the Genoese.[17]

The affairs of the house of Austria declined no less in Hungary during the course of this year. As the troops which Ferdinand kept in Transylvania received their pay very irregularly, they lived almost at discretion upon the inhabitants; and their insolence and rapaciousness greatly disgusted all ranks of men, and alienated them from their new sovereign, who, instead of protecting, plundered his subjects. Their indignation at this, added to their desire of revenging Martinuzzi's death, wrought so much upon a turbulent nobility, impatient of injury, and upon a fierce people, prone to change, that they were ripe for a revolt. At that very juncture their late queen, Isabella, together with her son, appeared in Transylvania. Her ambitious mind could not bear the solitude and inactivity of a private life; and, repenting quickly of the cession which she had made of the crown in the year 1551, she left the place of her retreat, hoping that the dissatisfaction of the Hungarians with the Austrian government would prompt them once more to recognize her son's right to the crown. Some noblemen of great eminence declared immediately in his favour. The basha of Belgrade, by Solyman's order, espoused his cause, in opposition to Ferdinand; the Spanish and German soldiers, instead of advancing against the enemy, mutinied for want of pay, declaring that they would march back to Vienna; so that Castaldo, their general, was obliged to abandon Transylvania to Isabella and the Turks, and to place himself at the head of the mutineers, that by his authority he might restrain them from plundering the Austrian territories through which they passed.[18]

Ferdinand's attention was turned so entirely towards the affairs of Germany, and his treasures so much exhausted by his late efforts in Hungary, that he made no attempt to recover this valuable province, although a favourable opportunity for that purpose presented itself, as Solyman was then engaged in a war with Persia, and involved besides in domestic calamities which engrossed and disturbed his mind. Solyman, though distinguished by many accomplishments from the other Ottoman princes, had all the passions peculiar to that violent and haughty race. He was jealous of his authority, sudden as well as furious in his anger, and susceptible of all that rage and love which reigns in the East and often produces the wildest and most tragical effects. His

[16] Haræus, 672.—Thuan., 414. [17] Ibid., 417. [18] Ibid., 430.

favourite mistress was a Circassian slave of exquisite beauty, who bore him a son called Mustapha, whom, both on account of his birthright and his merit, he destined to be the heir of his crown. Roxalana, a Russian captive, soon supplanted the Circassian, and gained the sultan's heart. Having the address to retain the conquest which she had made, she kept possession of his love without any rival for many years, during which she brought him several sons and one daughter. All the happiness, however, which she derived from the unbounded sway that she had acquired over a monarch whom one-half of the world revered or dreaded, was embittered by perpetual reflections on Mustapha's accession to the throne, and the certain death of her sons, who she foresaw would be immediately sacrificed, according to the barbarous jealousy of Turkish policy, to the safety of the new emperor. By dwelling continually on this melancholy idea, she came gradually to view Mustapha as the enemy of her children, and to hate him with more than a stepmother's ill will. This prompted her to wish his destruction, in order to secure for one of her own sons the throne which was destined for him. Nor did she want either ambition to attempt such a high enterprise, or the arts requisite for carrying it into execution. Having prevailed on the sultan to give her only daughter in marriage to Rustan, the grand vizier, she disclosed her scheme to that crafty minister, who, perceiving that it was his own interest to co-operate with her, readily promised his assistance towards aggrandizing that branch of the royal line to which he was now so nearly allied.

As soon as Roxalana had concerted her measures with this able confidant, she began to affect a wonderful zeal for the Mahometan religion, to which Solyman was superstitiously attached, and proposed to found and endow a royal mosque, a work of great expense, but deemed by the Turks meritorious in the highest degree. The mufti, whom she consulted, approved much of her pious intention, but, having been gained and instructed by Rustan, told her that she, being a slave, could derive no benefit herself from that holy deed, for all the merit of it would accrue to Solyman, the master whose property she was. Upon this she seemed to be overwhelmed with sorrow, and to sink into the deepest melancholy, as if she had been disgusted with life and all its enjoyments. Solyman, who was absent with the army, being informed of this dejection of mind and of the cause from which it proceeded, discovered all the solicitude of a lover to remove it, and, by writing under his hand, declared her a free woman. Roxalana, having gained this point, proceeded to build the mosque, and reassumed her usual gayety of spirit. But when Solyman, on his return to Constantinople, sent a eunuch, according to the custom of the seraglio, to bring her to partake of his bed, she, seemingly with deep regret, but in the most peremptory manner, declined to follow the eunuch, declaring that what had been an honour to her while a slave became a crime as she was now a free woman, and that she would not involve either the sultan or herself in the guilt that must be contracted by such an open violation of the law of their prophet. Solyman, whose passion this difficulty, as well as the affected delicacy which gave rise to it, heightened and inflamed, had recourse immediately to the mufti for his direction. He replied, agreeably to the Koran, that Roxalana's scruples were well founded, but added artfully, in words which Rustan had taught him to use, that it was in the sultan's power to remove these difficulties, by espousing her as his lawful wife. The amorous monarch closed eagerly with the proposal, and solemnly married her, according to the form of the Mahometan ritual; though, by so doing, he disregarded a maxim of policy which the pride of the Ottoman blood had taught all the sultans since Bajazet I. to consider as inviolable. From his time none of the Turkish

monarchs had married, because, when he was vanquished and taken prisoner by Tamerlane, his wife had been abused with barbarous insolence by the Tartars. That no similar calamity might again subject the Ottoman family to the same disgrace, the sultans admitted none to their beds but slaves, whose dishonour could not bring any such stain upon their house.

But the more uncommon the step was, the more it convinced Roxalana of the unbounded influence which she had acquired over the sultan's heart, and emboldened her to prosecute, with greater hope of success, the scheme that she had formed in order to destroy Mustapha. This young prince, having been intrusted by his father, according to the practice of the sultans in that age, with the government of several different provinces, was at that time invested with the administration in Diarbequir, the ancient Mesopotamia, which Solyman had wrested from the Persians and added to his empire. In all these different commands, Mustapha had conducted himself with such cautious prudence as could give no offence to his father, though at the same time he governed with so much moderation as well as justice, and displayed such valour and generosity, as rendered him equally the favourite of the people and the darling of the soldiery.

There was no room to lay any folly or vice to his charge that could impair the high opinion which his father entertained of him. Roxalana's malevolence was more refined; she turned his virtues against him, and made use of these as engines for his destruction. She often mentioned, in Solyman's presence, the splendid qualities of his son; she celebrated his courage, his liberality, his popular arts, with malicious and exaggerated praise. As soon as she perceived that the sultan heard these encomiums, which were often repeated, with uneasiness, that suspicion of his son began to mingle itself with his former esteem, and that by degrees he came to view him with jealousy and fear, she introduced, as by accident, some discourse concerning the rebellion of his father, Selim, against Bajazet, his grandfather: she took notice of the bravery of the veteran troops under Mustapha's command, and of the neighbourhood of Diarbequir to the territories of the Persian sophi, Solyman's mortal enemy. By these arts, whatever remained of paternal tenderness was gradually extinguished, and such passions were kindled in the breast of the sultan as gave all Roxalana's malignant suggestions the colour not only of probability but of truth. His suspicions and fear of Mustapha settled into deep-rooted hatred. He appointed spies to observe and report all his words and actions; he watched and stood on his guard against him, as his most dangerous enemy.

Having thus alienated the sultan's heart from Mustapha, Roxalana ventured upon another step. She entreated Solyman to allow her own sons the liberty of appearing at court, hoping that by gaining access to their father they might, by their good qualities and dutiful deportment, insinuate themselves into that place in his affections which Mustapha had formerly held; and, though what she demanded was contrary to the practice of the Ottoman family in that age, the uxorious monarch granted her request. To all these female intrigues Rustan added an artifice still more subtle, which completed the sultan's delusion and heightened his jealousy and fear. He wrote to the bashas of the provinces adjacent to Diarbequir, instructing them to send him regular intelligence of Mustapha's proceedings in his government, and to each of them he gave a private hint, flowing in appearance from his zeal for their interest, that nothing would be more acceptable to the sultan than to receive favourable accounts of a son whom he destined to sustain the glory of the Ottoman name. The bashas, ignorant of his fraudulent intention, and eager to pay court to their sovereign at such an easy price, filled their letters with

studied but fatal panegyrics of Mustapha, representing him as a prince worthy to succeed such an illustrious father, and as endowed with talents which might enable him to emulate, perhaps to equal, his fame. These letters were industriously shown to Solyman at the seasons when it was known that they would make the deepest impression. Every expression in recommendation of his son wounded him to the heart; he suspected his principal officers of being ready to favour the most desperate attempts of a prince whom they were so fond of praising; and, fancying that he saw them already assaulting his throne with rebellious arms, he determined, while it was yet in his power, to anticipate the blow, and to secure his own safety by his son's death.

For this purpose, though under pretence of renewing the war against Persia, he ordered Rustan to march towards Diarbequir at the head of a numerous army and to rid him of a son whose life he deemed inconsistent with his own safety. But that crafty minister did not choose to be loaded with the odium of having executed this cruel order. As soon as he arrived in Syria he wrote to Solyman that the danger was so imminent as called for his immediate presence; that the camp was full of Mustapha's emissaries; that many of the soldiers were corrupted; that the affections of all leaned towards him; that he had discovered a negotiation which had been carried on with the sophi of Persia in order to marry Mustapha with one of his daughters; that he already felt his own talents as well as authority to be inadequate to the exigencies of such an arduous conjuncture; that the sultan alone had sagacity to discern what resolution should be taken in those circumstances, and power to carry that resolution into execution.

This charge of courting the friendship of the sophi Roxalana and Rustan had reserved as the last and most envenomed of all their calumnies. It operated with the violence which they expected from Solyman's inveterate abhorrence of the Persians, and threw him into the wildest transports of rage. He set out instantly for Syria, and hastened thither with all the precipitation and impatience of fear and revenge. As soon as he joined his army near Aleppo and had concerted measures with Rustan, he sent a chiaus, or messenger of the court, to his son, requiring him to repair immediately to his presence. Mustapha, though no stranger to his stepmother's machinations, or to Rustan's malice, or to his father's violent temper, yet, relying on his own innocence, and hoping to discredit the accusations of his enemies by the promptitude of his obedience, followed the messenger without delay to Aleppo. The moment he arrived in the camp, he was introduced into the sultan's tent. As he entered it, he observed nothing that could give him any alarm; no additional crowd of attendants, no body of armed guards, but the same order and silence which always reign in the sultan's apartments. In a few minutes, however, several mutes appeared, at the sight of whom Mustapha, knowing what was his doom, cried, with a loud voice, "Lo, my death!" and attempted to fly. The mutes rushed forward to seize him; he resisted and struggled, demanding with the utmost earnestness to see the sultan; and despair, together with the hope of finding protection from the soldiers if he could escape out of the tent, animated him with such extraordinary strength that for some time he baffled all the efforts of the executioners. Solyman was within hearing of his son's cries, as well as of the noise which the struggle occasioned. Impatient of this delay of his revenge, and struck with terror at the thoughts of Mustapha's escaping, he drew aside the curtain which divided the tent, and, thrusting in his head, darted a fierce look towards the mutes, and, with wild and threatening gestures, seemed to condemn their sloth and timidity. At sight of his father's furious and unre-

lenting countenance, Mustapha's strength failed and his courage forsook him; the mutes fastened the bowstring about his neck, and in a moment put an end to his life.

The dead body was exposed before the sultan's tent. The soldiers gathered round it, and, contemplating that mournful object with astonishment and sorrow and indignation, were ready, if a leader had not been wanting, to have broke out into the wildest excesses of rage. After giving vent to the first expressions of their grief, they retired each man to his tent, and, shutting themselves up, bewailed in secret the cruel fate of their favourite; nor was there one of them who tasted food, or even water, during the remainder of that day. Next morning the same solitude and silence reigned in the camp; and Solyman, being afraid that some dreadful storm would follow this sullen calm, in order to appease the enraged soldiers, deprived Rustan of the seals, ordered him to leave the camp, and raised Achmet, a gallant officer, much beloved in the army, to the dignity of vizier. This change, however, was made in concert with Rustan himself, that crafty minister suggesting it as the only expedient which could save himself or his master. But within a few months, when the resentment of the soldiers began to subside, and the name of Mustapha to be forgotten, Achmet was strangled by the sultan's command, and Rustan reinstated in the office of vizier. Together with his former power, he reassumed the plan for exterminating the race of Mustapha which he had concerted with Roxalana; and, as they were afraid that an only son whom Mustapha had left might grow up to avenge his death, they redoubled their activity, and, by employing the same arts against him which they had practised against his father, they inspired Solyman with the same fears, and prevailed on him to issue orders for putting to death that young, innocent prince. These orders were executed with barbarous zeal by a eunuch, who was despatched to Burso, the place where the prince resided; and no rival was left to dispute the Ottoman throne with the sons of Roxalana.[19]

Such tragical scenes, productive of so deep distress, seldom occur but in the history of the great monarchies of the East, where the warmth of the climate seems to give every motion of the heart its greatest force, and the absolute power of sovereigns accustoms and enables them to gratify all their passions without control. While this interesting transaction in the court of Solyman engaged his whole attention, Charles was pursuing, with the utmost ardour, a new scheme for aggrandizing his family. About this time Edward VI. of England, after a short reign, in which he displayed such virtues as filled his subjects with sanguine hopes of being happy under his government and made them bear with patience all that they suffered from the weakness, the dissensions, and the ambition of the ministers who assumed the administration during his minority, was seized with a lingering distemper, which threatened his life. The emperor no sooner received an account of this than his ambition, always attentive to seize every opportunity of acquiring an increase of power or of territories to his son, suggested the thought of adding England to his other kingdoms, by the marriage of Philip with the Princess Mary, the heir of Edward's crown. Being apprehensive, however, that his son, who was then in Spain, might decline a match with a princess in her thirty-eighth year and eleven years older than himself,[20] Charles determined, notwithstanding his own age and infirmities, to make offer of himself as a husband to his cousin.

But, though Mary was so far advanced in years, and destitute of every

[19] Augerii Gislenii Busbequii Legationis Turcicæ Epistolæ IV., Franc., 1615, p. 37.—Thuan., lib. xii. p. 432.—Mém. de Ribier, ii. 457.—Mauroceni, Histor. Veneta, lib. vii. p. 60.

[20] Pallav., Hist. Concil. Trid., v. ii. c. 13, p. 150.

charm either of person or manners that could win affection or command esteem, Philip without hesitation gave his consent to the proposed match by his father, and was willing, according to the usual maxim of princes, to sacrifice his inclination to his ambition. In order to insure the success of his scheme, the emperor, even before Edward's death, began to take such steps as might facilitate it. Upon Edward's demise, Mary mounted the throne of England; the pretensions of the Lady Jane Gray proving as unfortunate as they were ill founded.[21] Charles sent immediately a pompous embassy to London to congratulate Mary on her accession to the throne and to propose the alliance with his son. The queen, dazzled with the prospect of marrying the heir of the greatest monarch in Europe, fond of uniting more closely with her mother's family, to which she had been always warmly attached, and eager to secure the powerful aid which she knew would be necessary towards carrying on her favourite scheme of re-establishing the Romish religion in England, listened in the most favourable manner to the proposal. Among her subjects it met with a very different reception. Philip, it was well known, contended for all the tenets of the Church of Rome with a sanguinary zeal which exceeded the measure even of Spanish bigotry: this alarmed all the numerous partisans of the Reformation. The Castilian haughtiness and reserve were far from being acceptable to the English, who, having several times seen their throne occupied by persons who were born subjects, had become accustomed to an unceremonious and familiar intercourse with their sovereigns. They could not think without the utmost uneasiness of admitting a foreign prince to that influence in their councils which the husband of their queen would naturally possess. They dreaded, both from Philip's overbearing temper and from the maxims of the Spanish monarchy which he had imbibed, that he would infuse ideas into the queen's mind dangerous to the liberties of the nation, and would introduce foreign troops and money into the kingdom to assist her in any attempt against them.

Full of these apprehensions, the House of Commons, though in that age extremely obsequious to the will of their monarchs, presented a warm address against the Spanish match; many pamphlets were published, representing the dangerous consequences of the alliance with Spain, and describing Philip's bigotry and arrogance in the most odious colours. But Mary, inflexible in all her resolutions, paid no regard to the remonstrances of her commons or to the sentiments of the people. The emperor having secured, by various arts, the ministers whom she trusted most, they approved warmly of the match, and large sums were remitted by him in order to gain the rest of the council. Cardinal Pole, whom the pope, immediately upon Mary's accession, had despatched as his legate into England, in order to reconcile his native country to the see of Rome, was detained, by the emperor's command, at Dillinghen, in Germany, lest by his presence he should thwart Philip's pretensions and employ his interest in favour of his kinsman, Courtnay, earl of Devonshire, whom the English ardently wished their sovereign to choose for a husband.[22]

As the negotiation did not admit of delay, it was carried forward with the greatest rapidity, the emperor agreeing without hesitation to every article in favour of England which Mary's ministers either represented as necessary to soothe the people and reconcile them to the match, or that was suggested by their own fears and jealousy of a foreign master. The chief articles were, that Philip, during his marriage with the queen, should bear the title of king of England, but the entire administration of affairs, as well as the sole disposal of all revenues, offices, and benefices, should remain with the queen; that the

[21] Carte's Hist. of England, iii. 287.

[22] Ibid., 288.

heirs of the marriage should, together with the crown of England, inherit the duchy of Burgundy and the Low Countries; that if Prince Charles, Philip's only son by a former marriage, should die without issue, his children by the queen, whether male or female, should succeed to the crown of Spain and all the emperor's hereditary dominions; that before the consummation of the marriage Philip should swear solemnly that he would retain no domestic who was not a subject of the queen, and would bring no foreigners into the kingdom that he might give umbrage to the English; that he would make no alteration in the constitution or laws of England; that he would not carry the queen, or any of the children born of this marriage, out of the kingdom; that if the queen should die before him without issue, he would immediately leave the crown to the lawful heir, without claiming any right of administration whatever; that in consequence of this marriage England should not be engaged in any war subsisting between France and Spain; and that the alliance between France and England should remain in full force.[23]

But this treaty, though both the emperor and Mary's ministers employed their utmost address in framing it so as to please the English, was far from quieting their fears and jealousies. They saw that words and promises were a feeble security against the encroachments of an ambitious prince, who, as soon as he got possession of the power and advantages which the queen's husband must necessarily enjoy, could easily evade any of the articles which either limited his authority or obstructed his schemes. They were convinced that the more favourable the conditions of the present treaty were to England, the more Philip would be tempted to violate them. They dreaded that England, like Naples, Milan, and the other countries annexed to Spain, would soon feel the dominion of that crown to be intolerably oppressive, and be constrained, as they had been, to waste its wealth and vigour in wars wherein it had no interest and from which it could derive no advantage. These sentiments prevailed so generally that every part of the kingdom was filled with discontent at the match and with indignation against the advisers of it. Sir Thomas Wyat, a gentleman of some note, and of good intentions towards the public, took advantage of this, and roused the inhabitants of Kent to arms, in order to save their country from a foreign yoke. Great numbers resorted, in a short time, to his standard; he marched to London with such rapidity, and the queen was so utterly unprovided for defence, that the aspect of affairs was extremely threatening; and if any nobleman of distinction had joined the malecontents, or had Wyat possessed talents equal in any degree to the boldness of his enterprise, the insurrection must have proved fatal to Mary's power. But all Wyat's measures were concerted with so little prudence and executed with such irresolution that many of his followers forsook him; the rest were dispersed by a handful of soldiers, and he himself was taken prisoner, without having made any effort worthy of the cause that he had undertaken or suitable to the ardour with which he engaged in it. He suffered the punishment due to his rashness and rebellion. The queen's authority was confirmed and increased by her success in defeating this inconsiderate attempt to abridge it. The Lady Jane Gray, whose title the ambition of her relations had set up in opposition to that of the queen, was, notwithstanding her youth and innocence, brought to the scaffold. The Lady Elizabeth, the queen's sister, was observed with the most jealous attention. The treaty of marriage was ratified by the parliament.

Philip landed in England with a magnificent retinue, celebrated his nuptials with great solemnity; and, though he could not lay aside his natural severity

[23] Rymer's Fœd., vol. xv. 377, 393.—Mém. de Ribier, ii. 493.

and pride, or assume gracious and popular manners, he endeavoured to conciliate the favour of the English nobility by his extraordinary liberality. Lest that should fail of acquiring him such influence in the government of the kingdom as he aimed at obtaining, the emperor kept a body of twelve thousand men on the coast of Flanders, in readiness to embark for England and to support his son in all his enterprises.

Emboldened by all these favourable circumstances, Mary pursued the scheme of extirpating the Protestant religion out of her dominions, with the most precipitant zeal. The laws of Edward VI. in favour of the Reformation were repealed; the Protestant clergy ejected; all the forms and rites of the popish worship were re-established; the nation was solemnly absolved from the guilt which it had contracted during the period of its apostasy, and was publicly reconciled to the Church of Rome by Cardinal Pole, who, immediately after the queen's marriage, was permitted to continue his journey to England and to exercise his legatine functions with the most ample power. Not satisfied with having overturned the Protestant Church, and re-establishing the ancient system on its ruins, Mary insisted that all her subjects should conform to the same mode of worship which she preferred, should profess their faith in the same creed which she had approved, and abjure every practice or opinion that was deemed repugnant to either of them. Powers altogether unknown in the English constitution were vested in certain persons appointed to take cognizance of heresy, and they proceeded to exercise them with more than inquisitorial severity. The prospect of danger, however, did not intimidate the principal teachers of the Protestant doctrines, who believed that they were contending for truths of the utmost consequence to the happiness of mankind. They boldly avowed their sentiments, and were condemned to that cruel death which the Church of Rome reserved for its enemies. This shocking punishment was inflicted with that barbarity which the rancour of false zeal alone can inspire. The English, who are inferior in humanity to no people in Europe, and remarkable for the mildness of their public executions, beheld with astonishment and horror persons who had filled the most respectable stations in the Church, and who were venerable on account of their age, their piety, and their literature, condemned to endure torments to which their laws did not subject even the most atrocious criminals.

This extreme rigour did not accomplish the end at which Mary aimed. The patience and fortitude with which these martyrs for the Reformation submitted to their sufferings, the heroic contempt of death expressed by persons of every rank and age and sex, confirmed many more in the Protestant faith than the threats of their enraged prosecutors could frighten into apostasy. The business of such as were intrusted with trying heretics multiplied continually, and appeared to be as endless as it was odious. The queen's ablest ministers became sensible how impolitic, as well as dangerous, it was to irritate the people by the frequent spectacle of public executions, which they detested as no less unjust than cruel. Even Philip was so thoroughly convinced of her having run to an excess of rigour that on this occasion he assumed a part to which he was little accustomed, becoming an advocate for moderation and lenity.[24]

But, notwithstanding this attempt to ingratiate himself with the English, they discovered a constant jealousy and distrust of all his intentions; and when some members, who had been gained by the court, ventured to move in the House of Commons that the nation ought to assist the emperor, the

[24] Godwin's Annals of Queen Mary, ap. Kennet, vol. ii. p. 329.—Burnet's Hist. of Reform., ii. 298, 305.

queen's father-in-law, in his war against France, the proposal was rejected with general dissatisfaction. A motion which was made, that the parliament should give its consent that Philip might be publicly crowned as the queen's husband, met with such a cold reception that it was instantly withdrawn.[25]

The king of France had observed the progress of the emperor's negotiation in England with much uneasiness. The great accession of territories as well as reputation which his enemy would acquire by the marriage of his son with the queen of such a powerful kingdom was obvious and formidable. He easily foresaw that the English, notwithstanding all their fears and precautions, would soon be drawn in to take part in the quarrels on the Continent, and be compelled to act in subserviency to the emperor's ambitious schemes. For this reason, Henry had given it in charge to his ambassador at the court of London to employ all his address in order to defeat or retard the treaty of marriage; and, as there was not at that time any prince of the blood in France whom he could propose to the queen as a husband, he instructed him to co-operate with such of the English as wished their sovereign to marry one of her own subjects. But, the queen's ardour and precipitation in closing with the first overtures in favour of Philip having rendered all his endeavours ineffectual, Henry was so far from thinking it prudent to give any aid to the English malecontents, though earnestly solicited by Wyat and their other leaders, who tempted him to take him under his protection, by offers of great advantage to France, that he commanded his ambassador to congratulate the queen in the warmest terms upon the suppression of the insurrection.

Notwithstanding these external professions, Henry dreaded so much the consequence of this alliance, which more than compensated for all the emperor had lost in Germany, that he determined to carry on his military operations, both in the Low Countries and in Italy, with extraordinary vigour, in order that he might compel Charles to accept of an equitable peace before his daughter-in-law could surmount the aversion of her subjects to a war on the Continent and prevail on them to assist the emperor either with money or troops. For this purpose, he exerted himself to the utmost in order to have a numerous army each assembled on the frontiers of the Netherlands, and, while one part of it laid waste the open country of Artois, the main body, under the Constable Montmorency, advanced towards the provinces of Liege and Hainault by the forest of Ardennes.

The campaign was opened with the siege of Mariemburg, a town which the queen of Hungary, the governess of the Low Countries, had fortified at great expense; but, being destitute of a sufficient garrison, it surrendered in six days. Henry, elated with this success, put himself at the head of his army, and, investing Bouvines, took it by assault, after a short resistance. With equal facility he became master of Dinant, and then, turning to the left, bent his march towards the province of Artois. The large sums which the emperor had remitted into England had so exhausted his treasury as to render his preparations at this juncture slower and more dilatory than usual. He had no body of troops to make head against the French at their first entrance into his territories; and though he drew together all the forces in the country in the utmost hurry, and gave the command of them to Emanuel Philibert of Savoy, they were in no condition to face an enemy so far superior in number. The prince of Savoy, however, by his activity and good conduct made up for his want of troops. By watching all the motions of the French at a distance, and by choosing his own posts with skill, he put it out of their power either to form any siege of consequence or to attack him. Want of subsistence soon

[25] Carte's Hist. of England, iii. 314.

obliged them to fall back towards their own frontiers, after having burnt all the open towns, and having plundered the country through which they marched with a cruelty and license more becoming a body of light troops than a royal army led by a great monarch.

But Henry, that he might not dismiss his army without attempting some conquest adequate to the great preparations as well as sanguine hopes with which he had opened the campaign, invested Renti, a place deemed in that age of great importance, as by its situation on the confines of Artois and the Boulonnois it covered the former province and protected the parties which made incursions into the latter. The town, which was strongly fortified and provided with a numerous garrison, made a gallant defence; but, being warmly pressed by a powerful army, it must soon have yielded. The emperor, who at that time enjoyed a short interval of ease from the gout, was so solicitous to save it that, although he could bear no other motion but that of a litter, he instantly put himself at the head of his army, which, having received several reinforcements, was now strong enough to approach the enemy. The French were eager to decide the fate of Renti by a battle, and expected it from the emperor's arrival in his camp; but Charles avoided a general action with great industry, and, as he had nothing in view but to save the town, he hoped to accomplish that without exposing himself to the consequences of such a dangerous and doubtful event.

Notwithstanding all his precautions, a dispute about a post which both armies endeavoured to seize brought on an engagement which proved almost general. The duke of Guise, who commanded the wing of the French which stood the brunt of the combat, displayed valour and conduct worthy of the defender of Metz; the imperialists, after an obstinate struggle, were repulsed; the French remained masters of the post in dispute; and if the constable, either from his natural caution and slowness, or from unwillingness to support a rival whom he hated, had not delayed bringing up the main body to second the impression which Guise had made, the rout of the enemy must have been complete. The emperor, notwithstanding the loss which he had sustained, continued in the same camp; and the French, being straitened for provisions, and finding it impossible to carry on the siege in the face of a hostile army, quitted their intrenchments. They retired openly, courting the enemy to approach, rather than shunning an engagement.

But Charles, having gained his end, suffered them to march off unmolested. As soon as his troops entered their own country, Henry threw garrisons into the frontier towns, and dismissed the rest of the army. This encouraged the imperialists to push forward with a considerable body of troops into Picardy, and by laying waste the country with fire and sword they endeavoured to revenge themselves for the ravages which the French had committed in Hainault and Artois.[26] But, as they were not able to reduce any place of importance, they gained nothing more than the enemy had done by this cruel and inglorious method of carrying on the war.

The arms of France were still more unsuccessful in Italy. The footing which the French had acquired in Siena occasioned much uneasiness to Cosmo de' Medici, the most sagacious and enterprising of all the Italian princes. He dreaded the neighbourhood of a powerful people, to whom all who favoured the ancient republican government in Florence would have recourse, as to their natural protectors, against the absolute authority which the emperor had enabled him to usurp; he knew how odious he was to the French, on account of his attachment to the imperial party, and he foresaw that if they

[26] Thuan., 460, etc.—Haræi Ann. Brab., 674.

were permitted to gather strength in Siena, Tuscany would soon feel the effects of their resentment. For these reasons, he wished with the utmost solicitude for the expulsion of the French out of the Sienese before they had time to establish themselves thoroughly in the country or to receive such reinforcements from France as would render it dangerous to attack them. As this, however, was properly the emperor's business, who was called by his interest as well as honour to dislodge those formidable intruders into the heart of his dominions, Cosmo laboured to throw the whole burden of the enterprise on him, and on that account had given no assistance, during the former campaign, but by advancing some small sums of money towards the payment of the imperial troops.

But, as the defence of the Netherlands engrossed all the emperor's attention, and his remittances into England had drained his treasury, it was obvious that his operations in Italy would be extremely feeble; and Cosmo plainly perceived that if he himself did not take part openly in the war, and act with vigour, the French would scarcely meet with any annoyance. As his situation rendered this resolution necessary and unavoidable, his next care was to execute it in such a manner that he might derive from it some other advantage besides that of driving the French out of his neighbourhood. With this view, he despatched an envoy to Charles offering to declare war against France, and to reduce Siena at his own charges, on condition that he should be repaid whatever he might expend in the enterprise, and be permitted to retain all his conquests until his demands were fully satisfied. Charles, to whom at this juncture the war against Siena was an intolerable burden, and who had neither expedient nor resource that could enable him to carry it on with proper vigour, closed gladly with this overture; and Cosmo, well acquainted with the low state of the imperial finances, flattered himself that the emperor, finding it impossible to reimburse him, would suffer him to keep quiet possession of whatever places he should conquer.[27]

Full of these hopes, he made great preparations for war, and, as the French king had turned the strength of his arms against the Netherlands, he did not despair of assembling such a body of men as would prove more than a sufficient match for any force which Henry could bring into the field in Italy. He endeavoured, by giving one of his daughters to the pope's nephew, to obtain assistance from the holy see, or at least to secure his remaining neutral. He attempted to detach the duke of Orsini, whose family had been long attached to the French party, from his ancient confederates, by bestowing on him another of his daughters; and, what was of greater consequence than either of these, he engaged John James Medecino, marquis of Marignano, to take the command of his army.[28] This officer, from a very low condition in life, had raised himself, through all the ranks of service, to high command, and had displayed talents and acquired reputation in war which entitled him to be placed on a level with the greatest generals in that martial age. Having attained a station of eminence so disproportionate to his birth, he laboured, with a fond solicitude, to conceal his original obscurity, by giving out that he was descended of the family of Medici, to which honour the casual resemblance of his name was his only pretension. Cosmo, happy that he could gratify him at such an easy rate, flattered his vanity in this point, acknowledged him as a relation, and permitted him to assume the arms of his family. Medecino, eager to serve the head of that family of which he now considered himself as a branch, applied with wonderful zeal and assiduity to raise troops; and as, during his long service, he had acquired great credit with the leaders of those mercenary

[27] Adriani, Istoria de' suoi Tempi, vol. i. p. 662.

[28] Ibid., p. 663

bands which formed the strength of Italian armies, he engaged the most eminent of them to follow Cosmo's standard.

To oppose this able general and the formidable army which he had assembled, the king of France made choice of Peter Strozzi, a Florentine nobleman, who had resided long in France as an exile, and who had risen by his merit to high reputation as well as command in the army. He was the son of Philip Strozzi, who in the year 1537 had concurred with such ardour in the attempt to expel the family of Medici out of Florence, in order to re-establish the ancient republican form of government, and who had perished in the undertaking. The son inherited the implacable aversion to the Medici, as well as the same enthusiastic zeal for the liberty of Florence, which had animated his father, whose death he was impatient to revenge. Henry flattered himself that his army would make rapid progress under a general whose zeal to promote his interest was roused and seconded by such powerful passions, especially as he had allotted him for the scene of action his native country, in which he had many powerful partisans, ready to facilitate all his operations.

But how specious soever the motives might appear which induced Henry to make this choice, it proved fatal to the interests of France in Italy. Cosmo, as soon as he heard that the mortal enemy of his family was appointed to take the command in Tuscany, concluded that the king of France aimed at something more than the protection of the Sienese, and saw the necessity of making extraordinary efforts not merely to reduce Siena but to save himself from destruction.[29] At the same time, the cardinal of Ferrara, who had the entire direction of the French affairs in Italy, considered Strozzi as a formidable rival in power, and, in order to prevent his acquiring any increase of authority from success, he was extremely remiss in supplying him either with money to pay his troops or with provisions to support them. Strozzi himself, blinded by his resentment against the Medici, pushed on his operations with the impetuosity of revenge, rather than with the caution and prudence becoming a great general.

At first, however, he attacked several towns in the territory of Florence with such vigour as obliged Medecino, in order to check his progress, to withdraw the greater part of his army from Siena, which he had invested before Strozzi's arrival in Italy. As Cosmo sustained the whole burden of military operations, the expense of which must soon have exhausted his revenues, as neither the viceroy of Naples nor governor of Milan was in condition to afford him any effectual aid, and as the troops which Medecino had left in the camp before Siena could attempt nothing against it during his absence, it was Strozzi's business to have protracted the war and to have transferred the seat of it into the territories of Florence; but the hope of ruining his enemy by one decisive blow precipitated him into a general engagement, not far from Marciano. The armies were nearly equal in number; but a body of Italian cavalry, in which Strozzi placed great confidence, having fled without making any resistance, either through the treachery or cowardice of the officers who commanded it, his infantry remained exposed to the attacks of all Medecino's troops. Encouraged, however, by Strozzi's presence and example, who, after receiving a dangerous wound in endeavouring to rally the cavalry, placed himself at the head of the infantry, and manifested an admirable presence of mind, as well as extraordinary valour, they stood their ground with great firmness, and repulsed such of the enemy as ventured to approach them. But those gallant troops being surrounded at last on every side, and torn in pieces by a battery of cannon which Medecino brought to bear upon them, the

[29] Pecci, Memorie di Siena, vol. iv. p. 103, etc.

Florentine cavalry broke in on their flanks, and a general rout ensued. Strozzi, faint with the loss of blood, and deeply affected with the fatal consequences of his own rashness, found the utmost difficulty in making his escape with a handful of men.[30]

Medecino returned immediately to the siege of Siena with his victorious forces, and, as Strozzi could not, after the greatest efforts of activity, collect as many men as to form the appearance of a regular army, he had leisure to carry on his approaches against the town without molestation. But the Sienese, instead of sinking into despair upon this cruel disappointment of their only hope of obtaining relief, prepared to defend themselves to the utmost extremity, with that undaunted fortitude which the love of liberty alone can inspire. This generous resolution was warmly seconded by Monluc, who commanded the French garrison in the town. The active and enterprising courage which he had displayed on many occasions had procured him this command; and, as he had ambition which aspired at the highest military dignities, without any pretensions to attain them but what he could derive from merit, he determined to distinguish his defence of Siena by extraordinary efforts of valour and perseverance. For this purpose, he repaired and strengthened the fortifications with unwearied industry; he trained the citizens to the use of arms, and accustomed them to go through the fatigues and dangers of service in common with the soldiers; and, as the enemy were extremely strict in guarding all the avenues to the city, he husbanded the provisions in the magazines with the most parsimonious economy, and prevailed on the soldiers, as well as the citizens, to restrict themselves to a very moderate daily allowance for their subsistence. Medecino, though his army was not numerous enough to storm the town by open force, ventured twice to assault it by surprise; but he was received each time with so much spirit and repulsed with such loss as discouraged him from repeating the attempt and left him no hopes of reducing the town but by famine.

With this view, he fortified his own camp with great care, occupied all the posts of strength round the place, and, having entirely cut off the besieged from any communication with the adjacent country, he waited patiently until necessity should compel them to open their gates. But their enthusiastic zeal for liberty made the citizens despise the distresses occasioned by the scarcity of provisions, and supported them long under all the miseries of famine. Monluc, by his example and exhortations, taught his soldiers to vie with them in patience and abstinence; and it was not until they had withstood a siege of ten months, until they had eaten up all the horses, dogs, and other animals in the place, and were reduced almost to their last morsel of bread, that they proposed a capitulation. Even then they demanded honourable terms; and as Cosmo, though no stranger to the extremity of their condition, was afraid that despair might prompt them to venture upon some wild enterprise, he immediately granted them conditions more favourable than they could have expected.

The capitulation was made in the emperor's name, who engaged to take the republic of Siena under the protection of the empire; he promised to maintain the ancient liberties of the city, to allow the magistrates the full exercise of their former authority, to secure the citizens in the undisturbed possession of their privileges and property; he granted an ample and unlimited pardon to all who had borne arms against him; he reserved to himself the right of placing a garrison in the town, but engaged not to rebuild the citadel without the consent of the citizens. Monluc and his French garrison were allowed to march out with all the honours of war.

[30] Pecci, Memorie di Siena, vol. iv. p. 157.

Medecino observed the articles of capitulation, as far as depended on him, with great exactness. No violence or insult whatever was offered to the inhabitants, and the French garrison was treated with all the respect due to their spirit and bravery. But many of the citizens, suspecting, from the extraordinary facility with which they had obtained such favourable conditions, that the emperor, as well as Cosmo, would take the first opportunity of violating them, and disdaining to possess a precarious liberty which depended on the will of another, abandoned the place of their nativity, and accompanied the French to Monte-Alcino, Porto Ercole, and other small towns in the territory of the republic. They established in Monte-Alcino the same model of government to which they had been accustomed at Siena, and, appointing magistrates with the same titles and jurisdiction, solaced themselves with this image of their ancient liberty.

The fears of the Sienese concerning the fate of their country were not imaginary, or their suspicion of the emperor and Cosmo ill founded; for no sooner had the imperial troops taken possession of the town than Cosmo, without regarding the articles of capitulation, not only displaced the magistrates who were in office, and nominated new ones devoted to his own interests, but commanded all the citizens to deliver up their arms to persons whom he appointed to receive them. They submitted to the former from necessity, though with all the reluctance and regret which men accustomed to liberty feel in obeying the first commands of a master. They did not yield the same tame obedience to the latter; and many persons of distinction, rather than degrade themselves from the rank of freemen to the condition of slaves, by surrendering their arms, fled to their countrymen at Monte-Alcino, and chose to endure all the hardships and encounter all the dangers which they had reason to expect in that new station where they had fixed the seat of their republic.

Cosmo, not reckoning himself secure while such numbers of implacable and desperate enemies were settled in his neighbourhood and retained any degree of power, solicited Medecino to attack them in their different places of retreat, before they had time to recruit their strength and spirits after the many calamities which they had suffered. He prevailed on him, though his army was much weakened by hard duty during the siege of Siena, to invest Porto Ercole; and, the fortifications being both slight and incomplete, the besieged were soon compelled to open their gates. An unexpected order, which Medecino received from the emperor, to detach the greater part of his troops into Piedmont, prevented further operations, and permitted the Sienese exiles to reside for some time undisturbed in Monte-Alcino. But their unhappy countrymen who remained at Siena were not yet at the end of their sufferings; for the emperor, instead of adhering to the articles of capitulation, granted his son Philip the investiture of that city and all its dependencies; and Francis de Toledo, in the name of their new master, proceeded to settle the civil and military government, treated them like a conquered people, and subjected them to the Spanish yoke, without paying any regard whatever to their privileges or ancient form of government.[31]

The imperial army in Piedmont had been so feeble for some time, and its commander so inactive, that the emperor, in order to give vigour to his operations in that quarter, found it necessary not only to recall Medecino's troops from Tuscany while in the career of conquest, but to employ in Piedmont a general of such reputation and abilities as might counterbalance the great

[31] Sleid., 617.—Thuan., lib. xv. 526, 537.—Joan. Camerarii Adnot. Rer. præcipuarum ab anno 1550 ad 1561, ap. Freherum, vol. iii. p. 561.—Pecci, Memorie di Siena, iv. 64, etc.

military talents of the Maréchal Brissac, who was at the head of the French forces in that country.

He pitched on the duke of Alva for that purpose; but that choice was as much the effect of a court intrigue as of his opinion with respect to the duke's merit. Alva had long made court to Philip with the utmost assiduity, and had endeavoured to work himself into his confidence by all the insinuating arts of which his haughty and inflexible nature was capable. As he nearly resembled that prince in many features of his character, he began to gain much of his good will. Ruy Gomez de Silva, Philip's favourite, who dreaded the progress which this formidable rival made in his master's affections, had the address to prevail with the emperor to name Alva to this command. The duke, though sensible that he owed this distinction to the malicious arts of an enemy, who had no other aim than to remove him at a distance from court, was of such punctilious honour that he would not decline a command that appeared dangerous and difficult, but, at the same time, was so haughty that he would not accept of it but on his own terms, insisting on being appointed the emperor's vicar-general in Italy, with the supreme military command in all the imperial and Spanish territories in that country. Charles granted all his demands; and he took possession of his new dignity with almost unlimited authority.

His first operations, however, were neither proportioned to his former reputation and the extensive powers with which he was invested, nor did they come up to the emperor's expectations. Brissac had under his command an army which, though inferior in number to the imperialists, was composed of chosen troops, which, having grown old in service in that country, where every town was fortified and every castle capable of being defended, were perfectly acquainted with the manner of carrying on war there. By their valour, and his own good conduct, Brissac not only defeated all the attempts of the imperialists, but added new conquests to the territories of which he was formerly master. Alva, after having boasted, with his usual arrogance, that he would drive the French out of Piedmont in a few weeks, was obliged to retire into winter-quarters, with the mortification of being unable to preserve entire that part of the country of which the emperor had hitherto kept possession.[32]

As the operations of this campaign in Piedmont were indecisive, those in the Netherlands were inconsiderable, neither the emperor nor king of France being able to bring into the field an army strong enough to undertake any enterprise of moment. But what Charles wanted in force he endeavoured to supply by a bold stratagem, the success of which would have been equal to that of the most vigorous campaign. During the siege of Metz, Leonard, father guardian of a convent of Franciscans in that city, had insinuated himself far into the esteem and favour of the duke of Guise, by his attachment to the French. Being a man of an active and intriguing spirit, he had been extremely useful both in animating the inhabitants to sustain with patience all the hardships of the siege, and in procuring intelligence of the enemy's designs and motions. The merit of those important services, together with the warm recommendations of the duke of Guise, secured him such high confidence with Vielleville, who was appointed governor of Metz when Guise left the town, that he was permitted to converse or correspond with whatever persons he thought fit, and nothing that he did created any suspicion. This monk, from the levity natural to bold and projecting adventurers, or from resentment against the French, who had not bestowed on him such rewards as he thought due to his own merit, or tempted, by the unlimited confidence

[32] Thuan., lib. xv. 529.—Guichenon, Hist. de Savoie, tom. i. 670.

which was placed in him, to imagine that he might carry on and accomplish any scheme with perfect security, formed a design of betraying Metz to the imperialists.

He communicated his intentions to the queen-dowager of Hungary, who governed the Low Countries in the name of her brother. She, approving, without any scruple, any act of treachery from which the emperor might derive any signal advantage, assisted the father guardian in concerting the most proper plan for insuring its success. They agreed that the father guardian should endeavour to gain his monks to concur in promoting the design; that he should introduce into the convent a certain number of chosen soldiers, disguised in the habit of friars; that, when everything was ripe for execution, the governor of Thionville should march towards Metz in the night with a considerable body of troops, and attempt to scale the ramparts; that while the garrison was employed in resisting the assailants, the monks should set fire to the town in different places; that the soldiers who lay concealed should sally out of the convent and attack those who defended the ramparts in the rear. Amidst the universal terror and confusion which events so unexpected would occasion, it was not doubted but that the imperialists might become masters of the town. As a recompense for this service, the father guardian stipulated that he should be appointed bishop of Metz, and ample rewards were promised to such of his monks as should be most active in co-operating with him.

The father guardian accomplished what he had undertaken to perform with great secrecy and despatch. By his authority and arguments, as well as by the prospect of wealth and honours which he set before his monks, he prevailed on all of them to enter into the conspiracy. He introduced into the convent, without being suspected, as many soldiers as were thought sufficient. The governor of Thionville, apprised in due time of the design, had assembled a proper number of troops for executing it; and the moment approached which probably would have wrested from Henry the most important of all his conquests.

But, happily for France, on the very day that was fixed for striking the blow, Vielleville, an able and vigilant officer, received information from a spy whom he entertained at Thionville that certain Franciscan friars resorted frequently thither and were admitted to many private conferences with the governor, who was carrying on preparations for some military enterprise with great despatch, but with a most mysterious secrecy. This was sufficient to awaken Vielleville's suspicions. Without communicating these to any person, he instantly visited the convent of Franciscans, detected the soldiers who were concealed there, and forced them to discover as much as they knew concerning the nature of the enterprise. The father guardian, who had gone to Thionville that he might put the last hand to his machinations, was seized at the gate as he returned; and he, in order to save himself from the rack, revealed all the circumstances of the conspiracy.

Vielleville, not satisfied with having seized the traitors and having frustrated their schemes, was solicitous to take advantage of the discoveries which he had made, so as to be revenged on the imperialists. For this purpose he marched out with the best troops in his garrison, and, placing these in ambush near the road by which the father guardian had informed him that the governor of Thionville would approach Metz, he fell upon the imperialists with great fury, as they advanced in perfect security, without suspecting any danger to be near. Confounded at this sudden attack by an enemy whom they expected to surprise, they made little resistance; and a great part of the

troops employed in this service, among whom were many persons of distinction, was killed or taken prisoners. Before next morning, Vielleville returned to Metz in triumph.

No resolution was taken for some time concerning the fate of the father guardian and his monks, the framers and conductors of this dangerous conspiracy. Regard for the honour of a body so numerous and respectable as the Franciscans, and unwillingness to afford a subject of triumph to the enemies of the Romish Church by their disgrace, seem to have occasioned this delay. But at length the necessity of inflicting exemplary punishment upon them, in order to deter others from venturing to commit the same crime, became so evident that orders were issued to proceed to their trial. Their guilt was made apparent by the clearest evidence, and sentence of death was passed upon the father guardian, together with twenty monks. On the evening previous to the day fixed for their execution, the jailer took them out of the dungeons in which they had hitherto been confined separately, and shut them all up in one great room, that they might confess their sins one to another and join together in preparing for a future state. But as soon as they were left alone, instead of employing themselves in the religious exercises suitable to their condition, they began to reproach the father guardian, and four of the senior monks who had been most active in seducing them, for their inordinate ambition, which had brought such misery on them and such disgrace upon their order. From reproaches they proceeded to curses and execrations, and at last, in a frenzy of rage and despair, they fell upon them with such violence that they murdered the father guardian on the spot, and so disabled the other four that it became necessary to carry them next morning in a cart, together with the dead body of the father guardian, to the place of execution. Six of the youngest were pardoned; the rest suffered the punishment which their crime merited.[33]

Though both parties, exhausted by the length of the war, carried it on in this languishing manner, neither of them showed any disposition to listen to overtures of peace. Cardinal Pole, indeed, laboured with all the zeal becoming his piety and humanity, to re-establish concord among the princes of Christendom. He had not only persuaded his mistress, the queen of England, to enter warmly into his sentiments and to offer her mediation to the contending powers, but had prevailed both on the emperor and king of France to send their plenipotentiaries to a village between Gravelines and Ardres. He himself, together with Gardiner, bishop of Winchester, repaired thither, in order to preside as mediators in the conferences which were to be held for adjusting all the points in difference. But, though each of the monarchs committed this negotiation to some of their ministers in whom they placed the greatest confidence, it was soon evident that they came together with no sincere desire of accommodation. Each proposed articles so extravagant that they could have no hopes of their being accepted. Pole, after exerting in vain all his zeal and address in order to persuade them to relinquish such extravagant demands and to consent to the substitution of more equal conditions, became sensible of the folly of wasting time in attempting to re-establish concord between those whom their obstinacy rendered irreconcilable, broke off the conference, and returned to England.[34]

During these transactions in other parts of Europe, Germany enjoyed such profound tranquillity as afforded the diet full leisure to deliberate, and to establish proper regulations concerning a point of the greatest consequence to

[33] Thuan., lib. xv., p. 522.—Belcar., Com. Rer. Gal., 866.—Mémoires du Maréch. Vielleville, par M. Charloix, tom. iii. p. 249, etc., p. 347, Par., 1757.

[34] Thuan., lib. xv. p. 523. Mém. de Ribier, tom. ii. p. 613.

the internal peace of the empire. By the treaty of Passau, in 1552, it had been referred to the next diet of the empire to confirm and perfect the plan of religious pacification which was there agreed upon. The terror and the confusion with which the violent commotions excited by Albert of Brandenburg had filled Germany, as well as the constant attention which Ferdinand was obliged to give to the affairs of Hungary, had hitherto prevented the holding a diet, though it had been summoned, soon after the conclusion of the treaty, to meet at Augsburg.

But, as a diet was now necessary on many accounts, Ferdinand, about the beginning of this year, had repaired to Augsburg. Though few of the princes were present, either in person or by their deputies, he opened the assembly by a speech, in which he proposed a termination of the dissensions to which the new tenets and controversies with regard to religion had given rise, not only as the first and great business of the diet, but as the point which both the emperor and he had most at heart. He represented the innumerable obstacles which the emperor had to surmount before he could procure the convocation of a general council, as well as the fatal accidents which had for some time retarded, and had at last suspended, the consultations of that assembly. He observed that experience had already taught them how vain it was to expect any remedy for evils, which demanded immediate redress, from a general council, the assembling of which would either be prevented, or its deliberations be interrupted, by the dissensions and hostilities of the princes of Christendom; that a national council in Germany, which, as some imagined, might be called with greater ease and deliberate with more perfect security, was an assembly of an unprecedented nature, the jurisdiction of which was uncertain in its extent, and the form of its proceedings undefined; that in his opinion there remained but one method for composing their unhappy differences, which, though it had been often tried without success, might yet prove effectual if it were attempted with a better and more pacific spirit than had appeared on former occasions, and that was to choose a few men of learning, abilities, and moderation, who, by discussing the disputed articles in an amicable conference, might explain them in such a manner as to bring the contending parties either to unite in sentiment or to differ with charity.

This speech, being printed in common form and dispersed over the empire, revived the fears and jealousies of the Protestants. Ferdinand, they observed with much surprise, had not once mentioned, in his address to the diet, the treaty of Passau, the stipulations in which they considered as the great security of their religious liberty. The suspicions to which this gave rise were confirmed by the accounts which they daily received of the extreme severity with which Ferdinand treated their Protestant brethren in his hereditary dominions; and, as it was natural to consider his actions as the surest indication of his intentions, this diminished their confidence in those pompous professions of moderation and of zeal for the re-establishment of concord, to which his practice seemed to be so repugnant.

The arrival of the Cardinal Morone, whom the pope had appointed to attend the diet as his nuncio, completed their conviction, and left them no room to doubt that some dangerous machination was forming against the peace or safety of the Protestant Church. Julius, elated with the unexpected return of the English nation from apostasy, began to flatter himself that, the spirit of mutiny and revolt having now spent its force, the happy period was come when the Church might resume its ancient authority and be obeyed by the people with the same tame submission as formerly. Full of these hopes, he had sent Morone to Augsburg, with instructions to employ his eloquence to

excite the Germans to imitate the laudable example of the English, and his political address in order to prevent any decree of the diet to the detriment of the Catholic faith. As Morone inherited from his father, the chancellor of Milan, uncommon talents for negotiation and intrigue, he could hardly have failed of embarrassing the measures of the Protestants in the diet, or of defeating whatever they aimed at obtaining in it for their further security.

But an unforeseen event delivered them from all the danger which they had reason to apprehend from Morone's presence. Julius, by abandoning himself to pleasures and amusements no less unbecoming his age than his character, having contracted such habits of dissipation that any serious occupation, especially if attended with difficulty, became an intolerable burden to him, had long resisted the solicitations of his nephew to hold a consistory, because he expected there a violent opposition to his schemes in favour of that young man. But when all the pretexts which he could invent for eluding this request were exhausted, and, at the same time, his indolent aversion to business continued to grow upon him, he feigned indisposition rather than yield to his nephew's importunity; and, that he might give the deceit a greater colour of probability, he not only confined himself to his apartment, but changed his usual diet and manner of life. By persisting too long in acting this ridiculous part, he contracted a real disease, of which he died in a few days, leaving his infamous minion, the Cardinal di Monte, to bear his name, and to disgrace the dignity which he had conferred upon him.[35] As soon as Morone heard of his death, he set out abruptly from Augsburg, where he had resided only a few days, that he might be present at the election of a new pontiff.

One cause of their suspicions and fears being thus removed, the Protestants soon became sensible that their conjectures concerning Ferdinand's intentions, however specious, were ill founded, and that he had no thoughts of violating the articles favourable to them in the treaty of Passau. Charles, from the time that Maurice had defeated all his schemes in the empire and overturned the great scheme of religious and civil despotism which he had almost established there, gave little attention to the internal government of Germany, and permitted his brother to pursue whatever measures he judged most salutary and expedient. Ferdinand, less ambitious and enterprising than the emperor, instead of resuming a plan which he, with power and resources so far superior, had failed of accomplishing, endeavoured to attach the princes of the empire to his family by an administration uniformly moderate and equitable. To this he gave, at present, particular attention, because his situation at this juncture rendered it necessary to court their favour and support with more than usual assiduity.

Charles had again resumed his favourite project of acquiring the imperial crown for his son Philip, the prosecution of which the reception it had met with when first proposed had obliged him to suspend, but had not induced him to relinquish. This led him warmly to renew his request to his brother that he would accept of some compensation for his prior right of succession, and sacrifice that to the grandeur of the house of Austria. Ferdinand, who was as little disposed as formerly to give such an extraordinary proof of self-denial, being sensible that in order to defeat this scheme not only the most inflexible firmness on his part, but a vigorous declaration from the princes of the empire in behalf of his title, was requisite, was willing to purchase their favour by gratifying them in every point that they deemed interesting or essential.

[35] Onuphr. Panvinius de Vitis Pontificum, p. 320.—Thuan., lib. xv. p. 517.

At the same time he stood in need of immediate and extraordinary aid from the Germanic body, as the Turks, after having wrested from him great part of his Hungarian territories, were ready to attack the provinces still subject to his authority with a formidable army, against which he could bring no equal force into the field. For this aid from Germany he could not hope if the internal peace of the empire were not established on a foundation solid in itself, and which should appear even to the Protestants so secure and so permanent as might not only allow them to engage in a distant war with safety, but might encourage them to act in it with vigour.

A step taken by the Protestants themselves, a short time after the opening of the diet, rendered him still more cautious of giving them any new cause of offence.

As soon as the publication of Ferdinand's speech awakened the fears and suspicions which have been mentioned, the electors of Saxony and Brandenburg, together with the landgrave of Hesse, met at Naumburg, and, confirming the ancient treaty of confraternity which had long united their families, they added to it a new article, by which the contracting parties bound themselves to adhere to the Confession of Augsburg, and to maintain the doctrine which it contained in their respective dominions.[36]

Ferdinand, influenced by all these considerations, employed his utmost address in conducting the deliberations of the diet so as not to excite the jealousy of a party on whose friendship he depended, and whose enmity, as they had not only taken the alarm but had begun to prepare for their defence, he had so much reason to dread. The members of the diet readily agreed to Ferdinand's proposal of taking the state of religion into consideration previous to any other business. But, as soon as they entered upon it, both parties discovered all the zeal and animosity which a subject so interesting naturally engenders, and which the rancour of controversy, together with the violence of civil war, had inflamed to the highest pitch.

The Protestants contended that the security which they claimed in consequence of the treaty of Passau should extend, without limitation, to all who had hitherto embraced the doctrine of Luther, or who should hereafter embrace it. The Catholics, having first of all asserted the pope's right as the supreme and final judge with respect to all articles of faith, declared that though, on account of the present situation of the empire, and for the sake of peace, they were willing to confirm the toleration granted by the treaty of Passau to such as had already adopted the new opinions, they must insist that this indulgence should not be extended either to those cities which had conformed to the Interim or to such ecclesiastics as should for the future apostatize from the Church of Rome. It was no easy matter to reconcile such opposite pretensions, which were supported on each side by the most elaborate arguments and the greatest acrimony of expression that the abilities or zeal of theologians long exercised in disputation could suggest. Ferdinand, however, by his address and perseverance, by softening some things on each side, by putting a favourable meaning upon others, by representing incessantly the necessity as well as the advantages of concord, and by threatening, on some occasions, when all other considerations were disregarded, to dissolve the diet, brought them at length to a conclusion in which they all agreed.

Conformably to this, a recess was framed, approved of, and published with the usual formalities. The following are the chief articles which it contained: that such princes and cities as have declared their approbation of the Confession of Augsburg shall be permitted to profess the doctrine and exercise the

[36] Chytræi Saxonia, 480.

worship which it authorizes, without interruption or molestation from the emperor, the king of the Romans, or any power or person whatsoever; that the Protestants, on their part, shall give no disquiet to the princes and states who adhere to the tenets and rites of the Church of Rome; that, for the future, no attempt shall be made towards terminating religious differences but by the gentle and pacific methods of persuasion and conference; that the popish ecclesiastics shall claim no spiritual jurisdiction in such states as receive the Confession of Augsburg; that such as had seized the benefices or revenues of the Church, previous to the treaty of Passau, shall retain possession of them, and be liable to no prosecution in the imperial chamber on that account; that the supreme civil power in every state shall have right to establish what form of doctrine and worship it shall deem proper, and, if any of its subjects refuse to conform to these, shall permit them to remove, with all their effects, whithersoever they shall please; that if any prelate or ecclesiastic shall hereafter abandon the Romish religion he shall instantly relinquish his diocese or benefice, and it shall be lawful for those in whom the right of nomination is vested to proceed immediately to an election, as if the office were vacant by death or translation, and to appoint a successor of undoubted attachment to the ancient system.[37]

Such are the capital articles in this famous recess, which is the basis of religious peace in Germany and the bond of union among its various states, the sentiments of which are so extremely different with respect to points the most interesting as well as important. In our age and nation, to which the idea of toleration is familiar and its beneficial effects well known, it may seem strange that a method of terminating their dissensions, so suitable to the mild and charitable spirit of the Christian religion, did not sooner occur to the contending parties. But this expedient, however salutary, was so repugnant to the sentiments and practice of Christians during many ages that it did not lie obvious to discovery. Among the ancient heathens, all whose deities were local and tutelary, diversity of sentiment concerning the object or rites of religious worship seems to have been no source of animosity, because the acknowledging veneration to be due to any one god did not imply denial of the existence or the power of any other god; nor were the modes and rites of worship established in one country incompatible with those which other nations approved of and observed. Thus the errors in their system of theology were of such a nature as to be productive of concord; and, notwithstanding the amazing number of their deities, as well as the infinite variety of their ceremonies, a sociable and tolerating spirit subsisted almost universally in the pagan world.

But when the Christian revelation declared one Supreme Being to be the sole object of religious veneration, and prescribed the form of worship most acceptable to him, whoever admitted the truth of it held, of consequence, every other system of religion, as a deviation from what was established by divine authority, to be false and impious. Hence arose the zeal of the first converts to the Christian faith in propagating its doctrines, and the ardour with which they laboured to overturn every other form of worship. They employed, however, for this purpose no methods but such as suited the nature of religion. By the force of powerful arguments they convinced the understandings of men; by the charms of superior virtue they allured and captivated their hearts. At length the civil power declared in favour of Christianity; and, though numbers, imitating the example of their superiors, crowded into the Church, many still adhered to their ancient superstitions. Enraged at their

[37] Sleid., 620.—F. Paul, 368.—Pallav. ii., 161.

obstinacy, the ministers of religion, whose zeal was still unabated, though their sanctity and virtue were much diminished, forgot so far the nature of their own mission, and of the arguments which they ought to have employed, that they armed the imperial power against these unhappy men, and, as they could not persuade, they tried to compel them to believe.

At the same time, controversies concerning articles of faith multiplied, from various causes, among Christians themselves, and the same unhallowed weapons which had first been used against the enemies of their religion were turned against each other. Every zealous disputant endeavoured to interest the civil magistrate in his cause, and each in his turn employed the secular arm to crush or to exterminate his opponents. Not long after, the bishops of Rome put in their claim to infallibility in explaining articles of faith and deciding points in controversy; and, bold as the pretension was, they, by their artifices and perseverance, imposed on the credulity of mankind and brought them to recognize it. To doubt or to deny any doctrine to which these unerring instructors had given the sanction of their approbation was held to be not only a resisting of truth, but an act of rebellion against their sacred authority; and the secular power, of which by various arts they had acquired the absolute direction, was instantly employed to avenge both.

Thus Europe had been accustomed, during many centuries, to see speculative opinions propagated or defended by force; the charity and mutual forbearance which Christianity recommends with so much warmth were forgotten; the sacred rights of conscience and of private judgment were unheard of; and not only the idea of toleration, but even the word itself, in the sense now affixed to it, was unknown. A right to extirpate error by force was universally allowed to be the prerogative of such as possessed the knowledge of truth; and as each party of Christians believed that they had got possession of this valuable attainment, they all claimed and exercised, as far as they were able, the rights which it was supposed to convey. The Roman Catholics, as their system rested on the decisions of an infallible judge, never doubted that truth was on their side, and openly called on the civil power to repel the impious and heretical innovators who had risen up against it. The Protestants, no less confident that their doctrine was well founded, required, with equal ardour, the princes of their party to check such as presumed to impugn it. Luther, Calvin, Cranmer, Knox, the founders of the Reformed Church in their respective countries, as far as they had power and opportunity, inflicted the same punishments upon such as called in question any article in their creeds, which were denounced against their own disciples by the Church of Rome. To their followers, and perhaps to their opponents, it would have appeared a symptom of diffidence in the goodness of their cause, or an acknowledgment that it was not well founded, if they had not employed in its defence all those means which it was supposed truth had a right to employ.

It was towards the close of the seventeenth century before toleration, under its present form, was admitted first into the republic of the United Provinces, and from thence introduced into England. Long experience of the calamities flowing from mutual persecution, the influence of free government, the light and humanity acquired by the progress of science, together with the prudence and authority of the civil magistrate, were all requisite in order to establish a regulation so repugnant to the ideas which all the different sects had adopted, from mistaken conceptions concerning the nature of religion and the rights of truth, or which all of them had derived from the erroneous maxims established by the Church of Rome.

The recess of Augsburg, it is evident, was founded on no such liberal and

enlarged sentiments concerning freedom of religious inquiry or the nature of toleration. It was nothing more than a scheme of pacification, which political considerations alone had suggested to the contending parties, and regard for their mutual tranquillity and safety had rendered necessary. Of this there can be no stronger proof than an article in the recess itself, by which the benefits of the pacification are declared to extend only to the Catholics on the one side, and to such as adhered to the Confession of Augsburg on the other. The followers of Zuingius and Calvin remained, in consequence of that exclusion, without any protection from the rigour of the laws denounced against heretics. Nor did they obtain any legal security until the treaty of Westphalia, near a century after this period, provided that they should be admitted to enjoy, in as ample a manner as the Lutherans, all the advantages and protection which the recess of Augsburg affords.

But, if the followers of Luther were highly pleased with the security which they acquired by this recess, such as adhered to the ancient system had no less reason to be satisfied with that article in it which preserved entire to the Roman Catholic Church the benefices of such ecclesiastics as should hereafter renounce its doctrines. This article, known in Germany by the name of the *Ecclesiastical Reservation*, was apparently so conformable to the idea and to the rights of an established church, and it seemed so equitable to prevent revenues, which had been originally appropriated for the maintenance of persons attached to a certain system, from being alienated to any other purpose, that the Protestants, though they foresaw its consequences, were obliged to relinquish their opposition to it. As the Roman Catholic princes of the empire have taken care to see this article exactly observed in every case where there was an opportunity of putting it in execution, it has proved the great barrier of the Romish Church in Germany against the Reformation; and as, from this period, the same temptation of interest did not allure ecclesiastics to relinquish the established system, there have been few of that order who have loved truth with such disinterested and ardent affection as for its sake to abandon the rich benefices which they had in possession.

During the sitting of the diet, Marcellus Cervino, Cardinal di Santo Croce, was elected pope in room of Julius. He, in imitation of Adrian, did not change his name on being exalted to the papal chair. As he equalled that pontiff in purity of intention, while he excelled him much in the arts of government, and still more in knowledge of the state and genius of the papal court, as he had capacity to discern what reformation it needed, as well as what it could bear, such regulations were expected from his virtue and wisdom as would have removed many of its grossest and most flagrant corruptions, and have contributed towards reconciling to the Church such as, from indignation at these enormities, had abandoned its communion. But this excellent pontiff was only shown to the Church, and immediately snatched away. The confinement in the conclave had impaired his health, and the fatigue of tedious ceremonies upon his accession, together with too intense and anxious application of mind to the schemes of improvement which he meditated, exhausted so entirely the vigour of his feeble constitution that he sickened on the twelfth and died on the twentieth day after his election.[38]

All the refinements in artifice and intrigue, peculiar to conclaves, were displayed in that which was held for electing a successor to Marcellus; the cardinals of the imperial and French factions labouring with equal ardour to gain the necessary number of suffrages for one of their own party. But, after a struggle of no long duration, though conducted with all the warmth and eager-

[38] Thuan., 520.—F. Paul, 365.—Onuph. Panvin., 321, etc.

ness natural to men contending for so great an object, they united in choosing John Peter Caraffa, the eldest member of the sacred college, and the son of Count Montorio, a nobleman of an illustrious family in the kingdom of Naples. The address and influence of Cardinal Farnese, who favoured his pretensions, Caraffa's own merit, and perhaps his great age, which soothed all the disappointed candidates with the near prospect of a new vacancy, concurred in bringing about this speedy union of suffrages. In order to testify his respect for the memory of Paul III., by whom he had been created cardinal, as well as his gratitude to the family of Farnese, he assumed the name of Paul IV.

The choice of a prelate of such a singular character, and who had long held a course extremely different from that which usually led to the dignity now conferred upon him, filled the Italians, who had nearest access to observe his manners and deportment, with astonishment, and kept them in suspense and solicitude with regard to his future conduct. Paul, though born in a rank of life which, without any other merit, might have secured to him the highest ecclesiastical preferments, had from his early years applied to study with all the assiduity of a man who had nothing but his personal attainments to render him conspicuous. By means of this, he not only acquired profound skill in scholastic theology, but added to that a considerable knowledge of the learned languages and of polite literature, the study of which had been lately revived in Italy and was pursued at this time with great ardour. His mind, however, naturally gloomy and severe, was more formed to imbibe the sour spirit of the former than to receive any tincture of elegance or liberality of sentiment from the latter; so that he acquired rather the qualities and passions of a recluse ecclesiastic than the talents necessary for the conduct of great affairs. Accordingly, when he entered into orders, although several rich benefices were bestowed upon him, and he was early employed as a nuncio in different courts, he soon became disgusted with that course of life, and languished to be in a situation more suited to his taste and temper. With this view, he resigned at once all his ecclesiastical preferments, and, having instituted an order of regular priests, whom he denominated Theatines, from the name of the archbishopric which he had held, he associated himself as a member of their fraternity, conformed to all the rigorous rules to which he had subjected them, and preferred the solitude of a monastic life, with the honour of being the founder of a new order, to all the great objects which the court of Rome presented to his ambition.

In this retreat he remained for many years, until Paul III., induced by the fame of his sanctity and knowledge, called him to Rome, in order to consult with him concerning the measures which might be most proper and effectual for suppressing heresy and re-establishing the ancient authority of the Church. Having thus allured him from his solitude, the pope, partly by his entreaties and partly by his authority, prevailed on him to accept of a cardinal's hat, to resume the benefices which he had resigned, and to return again into the usual path of ecclesiastical ambition, which he seemed to have relinquished. But during two successive pontificates, under the first of which the court of Rome was the most artful and interested, and under the second the most dissolute, of any in Europe, Caraffa retained his monastic austerity. He was an avowed and bitter enemy not only of all innovation in opinion, but of every irregularity in practice; he was the chief instrument in establishing the formidable and odious tribunal of the Inquisition in the papal territories; he appeared a violent advocate on all occasions for the jurisdiction and discipline of the Church, and a severe censurer of every measure which seemed to flow from motives of policy or interest rather than from zeal for the honour of the

ecclesiastical order and the dignity of the holy see. Under a prelate of such a character, the Roman courtiers expected a severe and violent pontificate, during which the principles of sound policy would be sacrificed to the narrow prejudices of priestly zeal; while the people of Rome were apprehensive of seeing the sordid and forbidding rigour of monastic manners substituted in place of the magnificence to which they had long been accustomed in the papal court. These apprehensions Paul was extremely solicitous to remove. At his first entrance upon the administration he laid aside that austerity which had hitherto distinguished his person and family; and when the master of his household inquired in what manner he would choose to live, he haughtily replied, "As becomes a great prince." He ordered the ceremony of his coronation to be conducted with more than usual pomp, and endeavoured to render himself popular by several acts of liberality and indulgence towards the inhabitants of Rome.[39]

His natural severity of temper, however, would have soon returned upon him, and would have justified the conjectures of the courtiers, as well as the fears of the people, if he had not, immediately after his election, called to Rome two of his nephews, the sons of his brother, the count of Montorio. The eldest he promoted to be governor of Rome; the youngest, who had hitherto served as a soldier of fortune in the armies of Spain and France, and whose disposition as well as manners were still more foreign from the clerical character than his profession, he created a cardinal, and appointed him legate of Bologna, the second office in power and dignity which a pope can bestow. These marks of favour, no less sudden than extravagant, he accompanied with the most unbounded confidence and attachment; and, forgetting all his former severe maxims, he seemed to have no other object than the aggrandizing of his nephews. Their ambition, unfortunately for Paul, was too aspiring to be satisfied with any moderate acquisition. They had seen the family of Medici raised by the interest of the popes of that house to supreme power in Tuscany; Paul III. had, by his abilities and address, secured the duchies of Parma and Placentia to the family of Farnese. They aimed at some establishment for themselves, no less considerable and independent; and, as they could not expect that the pope would carry his indulgence towards them so far as to secularize any part of the patrimony of the Church, they had no prospect of attaining what they wished, but by dismembering the imperial dominions in Italy, in hopes of seizing some portion of them. This alone they would have deemed a sufficient reason for sowing the seeds of discord between their uncle and the emperor.

But Cardinal Caraffa had, besides, private reasons which filled him with hatred and enmity to the emperor. While he served in the Spanish troops, he had not received such marks of honour and distinction as he thought due to his birth and merit. Disgusted with this ill usage, he had abruptly quitted the imperial service; and, entering into that of France, he had not only met with such a reception as soothed his vanity and attached him to the French interest, but by contracting an intimate friendship with Strozzi, who commanded the French army in Tuscany, he had imbibed a mortal antipathy to the emperor, as the great enemy to the liberty and independence of the Italian states. Nor was the pope himself indisposed to receive impressions unfavourable to the emperor. The opposition given to his election by the cardinals of the imperial faction left in his mind deep resentment, which was heightened by the remembrance of ancient injuries from Charles or his ministers.

Of this his nephews took advantage, and employed various devices in order

[39] Platina, p. 327.—Castaldo, Vita di Paolo IV., Rom., 1615, p. 70.

to exasperate him beyond a possibility of reconciliation. They aggravated every circumstance which could be deemed any indication of the emperor's dissatisfaction with his promotion; they read to him an intercepted letter, in which Charles taxed the cardinals of his party with negligence or incapacity in not having defeated Paul's election; they pretended, at one time, to have discovered a conspiracy formed by the imperial minister and Cosmo de' Medici against the pope's life; they alarmed him, at another, with accounts of a plot for assassinating themselves. By these artifices they kept his mind, which was naturally violent, and become suspicious from old age, in such perpetual agitation as precipitated him into measures which otherwise he would have been the first person to condemn.[40] He seized some of the cardinals who were most attached to the emperor, and confined them in the castle of St. Angelo; he persecuted the Colonnas and other Roman barons, the ancient retainers to the imperial faction, with the utmost severity; and, discovering on all occasions his distrust, fear, or hatred of the emperor, he began at last to court the friendship of the French king, and seemed willing to throw himself absolutely upon him for support and protection.

This was the very point to which his nephews wished to bring him, as most favourable to their ambitious schemes; and as the accomplishment of these depended on their uncle's life, whose advanced age did not admit of losing a moment unnecessarily in negotiations, instead of treating at second hand with the French ambassador at Rome, they prevailed on the pope to despatch a person of confidence directly to the court of France, with such overtures on his part as they hoped would not be rejected. He proposed an alliance offensive and defensive between Henry and the pope; that they should attack the duchy of Tuscany and the kingdom of Naples with their united forces; and, if their arms should prove successful, that the ancient republican form of government should be re-established in the former, and the investiture of the latter should be granted to one of the French king's sons, after reserving a certain territory which should be annexed to the patrimony of the Church, together with an independent and princely establishment for each of the pope's nephews.

The king, allured by these specious projects, gave a most favourable audience to the envoy. But when the matter was proposed in council, the Constable Montmorency, whose natural caution and aversion to daring enterprises increased with age and experience, remonstrated with great vehemence against the alliance. He put Henry in mind how fatal to France every expedition into Italy had been during three successive reigns; and if such an enterprise had proved too great for the nation, even when its strength and finances were entire, there was no reason to hope for success if it should be attempted now, when both were exhausted by extraordinary efforts during wars which had lasted, with little interruption, almost half a century. He represented the manifest imprudence of entering into engagements with a pope of fourscore, as any system which rested on no better foundation than his life must be extremely precarious; and upon the event of his death, which could not be distant, the face of things, together with the inclination of the Italian states, must instantly change, and the whole weight of the war be left upon the king alone. To these considerations he added the near prospect which they now had of a final accommodation with the emperor, who, having taken the resolution of retiring from the world, wished to transmit his kingdoms in peace to his son; and he concluded with representing the absolute

[40] Ripamontii Hist. Patriæ, lib. iii. 1146, ap. Græv. Thes., vol. ii.—Mém. de Ribier, ii. 615.—Adriani, Istor., i. 906.

certainty of drawing the arms of England upon France if it should appear that the re-establishment of tranquillity in Europe was prevented by the ambition of its monarch.

These arguments, weighty in themselves, and urged by a minister of great authority, would probably have determined the king to decline any connection with the pope. But the duke of Guise, and his brother, the cardinal of Lorraine, who delighted no less in bold and dangerous undertakings than Montmorency shunned them, declared warmly for an alliance with the pope. The cardinal expected to be intrusted with the conduct of the negotiations in the court of Rome to which this alliance would give rise; the duke hoped to obtain the command of the army which would be appointed to invade Naples; and, considering themselves as already in these stations, vast projects opened to their aspiring and unbounded ambition. Their credit, together with the influence of the king's mistress, the famous Diana of Poitiers, who was at that time entirely devoted to the interest of the family of Guise, more than counterbalanced all Montmorency's prudent remonstrances, and prevailed on an inconsiderate prince to listen to the overtures of the pope's envoy.

The cardinal of Lorraine, as he had expected, was immediately sent to Rome, with full powers to conclude the treaty and to concert measures for carrying it into execution. Before he could reach that city, the pope, either from reflecting on the danger and uncertain issue of all military operations, or through the address of the imperial ambassador, who had been at great pains to soothe him, had not only begun to lose much of the ardour with which he had commenced the negotiation with France, but even discovered great unwillingness to continue it. In order to rouse him from this fit of despondency, and to rekindle his former rage, his nephews had recourse to the arts which they had already practised with so much success. They alarmed him with new representations of the emperor's hostile intentions, with fresh accounts which they had received of threats uttered against him by the imperial ministers, and with new discoveries which they pretended to have made of conspiracies formed, and just ready to take effect, against his life.

But these artifices, having been formerly tried, would not have operated a second time with the same force, nor have made the impression which they wished, if Paul had not been excited by an offence of that kind which he was least able to bear. He received advice of the recess of the diet of Augsburg, and of the toleration which was thereby granted to the Protestants; and this threw him at once into such transports of passion against the emperor and king of the Romans as carried him headlong into all the violent measures of his nephews. Full of high ideas with respect to the papal prerogative, and animated with the fiercest zeal against heresy, he considered the liberty of deciding concerning religious matters, which had been assumed by an assembly composed chiefly of laymen, as a presumptuous and unpardonable encroachment on that jurisdiction which belonged to him alone, and regarded the indulgence which had been given to the Protestants as an impious act of that power which the diet had usurped. He complained loudly of both to the imperial ambassador. He insisted that the recess of the diet should immediately be declared illegal and void. He threatened the emperor and king of the Romans, in case they should either refuse or delay to gratify him in this particular, with the severest effects of his vengeance. He talked in a tone of authority and command which might have suited a pontiff of the twelfth century, when a papal decree was sufficient to have shaken, or to have overturned, the throne of the greatest monarch in Europe, but which was altogether improper in that age, especially when addressed to the minister of a prince who

had so often made pontiffs more formidable than Paul feel the weight of his power. The ambassador, however, heard all his extravagant propositions and menaces with much patience, and endeavoured to soothe him by putting him in mind of the extreme distress to which the emperor had been reduced at Inspruck, of the engagements which he had come under to the Protestants in order to extricate himself, of the necessity of fulfilling these and of accommodating his conduct to the situation of his affairs. But, weighty as these considerations were, they made no impression on the mind of the haughty and bigoted pontiff, who instantly replied that he would absolve him by his apostolic authority from those impious engagements, and even command him not to perform them; that in carrying on the cause of God and of the church no regard ought to be had to the maxims of worldly prudence and policy; and that the ill success of the emperor's schemes in Germany might justly be deemed a mark of the Divine displeasure against him on account of his having paid little attention to the former, while he regulated his conduct entirely by the latter. Having said this, he turned from the ambassador abruptly, without waiting for a reply.

His nephews took care to applaud and cherish these sentiments, and easily wrought up his arrogant mind, fraught with all the monkish ideas concerning the extent of the papal supremacy, to such a pitch of resentment against the house of Austria, and to such a high opinion of his own power, that he talked continually of his being the successor of those who had deposed kings and emperors; that he was exalted as head over them all, and would trample such as opposed him under his feet. In this disposition the cardinal of Lorraine found the pope, and easily persuaded him to sign a treaty which had for its object the ruin of a prince against whom he was so highly exasperated. The stipulations in the treaty were much the same as had been proposed by the pope's envoy at Paris, and it was agreed to keep the whole transaction secret until their united forces should be ready to take the field.[41]

During the negotiation of this treaty at Rome and Paris, an event happened which seemed to render the fears that had given rise to it vain, and the operations which were to follow upon it unnecessary. This was the emperor's resignation of his hereditary dominions to his son Philip; together with his resolution to withdraw entirely from any concern in business or the affairs of this world, in order that he might spend the remainder of his days in retirement and solitude.

Though it requires neither deep reflection nor extraordinary discernment to discover that the state of royalty is not exempt from cares and disappointment; though most of those who are exalted to a throne find solicitude and satiety and disgust to be their perpetual attendants in that envied pre-eminence; yet to descend voluntarily from the supreme to a subordinate station, and to relinquish the possession of power in order to attain the enjoyment of happiness, seems to be an effort too great for the human mind. Several instances, indeed, occur in history of monarchs who have quitted a throne and have ended their days in retirement. But they were either weak princes, who took this resolution rashly and repented of it as soon as it was taken, or unfortunate princes, from whose hands some stronger rival had wrested their sceptre and compelled them to descend with reluctance into a private station. Diocletian is perhaps the only prince capable of holding the reins of government who ever resigned them from deliberate choice and who continued during many years to enjoy the tranquillity of retirement without fetching one penitent sigh,

[41] Pallav., lib. xiii. p. 163.—F. Paul, 365.—Ribier, ii. 609, etc. Thuan., lib. xv. 525, lib. xvi. 540.—Mém. de

or casting back one look of desire towards the power or dignity which he had abandoned.

No wonder, then, that Charles's resignation should fill all Europe with astonishment, and give rise, both among his contemporaries and among the historians of that period, to various conjectures concerning the motives which determined a prince whose ruling passion had been uniformly the love of power, at the age of fifty-six, when objects of ambition continue to operate with full force on the mind and are pursued with the greatest ardour, to take a resolution so singular and unexpected. But, while many authors have imputed it to motives so frivolous and fantastical as can hardly be supposed to influence any reasonable mind, while others have imagined it to be the result of some profound scheme of policy, historians more intelligent and better informed neither ascribe it to caprice nor search for mysterious secrets of state where simple and obvious causes will fully account for the emperor's conduct. Charles had been attacked early in life with the gout, and, notwithstanding all the precautions of the most skilful physicians, the violence of the distemper increased as he advanced in age, and the fits became every year more frequent, as well as more severe. Not only was the vigour of his constitution broken, but the faculties of his mind were impaired by the excruciating torments which he endured. During the continuance of the fits he was altogether incapable of applying to business, and even when they began to abate, as it was only at intervals that he could attend to what was serious, he gave up a great part of his time to trifling and even childish occupations, which served to relieve or to amuse his mind, enfeebled and worn out with excess of pain. Under these circumstances the conduct of such affairs as occurred of course in governing so many kingdoms was a burden more than sufficient; but to push forward and complete the vast schemes which the ambition of his more active years had formed, or to keep in view and carry on the same great system of policy, extending to every nation in Europe and connected with the operations of every different court, were functions which so far exceeded his strength that they oppressed and overwhelmed his mind. As he had been long accustomed to view the business of every department, whether civil or military or ecclesiastical, with his own eyes, and to decide concerning it according to his own ideas, it gave him the utmost pain when he felt his infirmities increase so fast upon him that he was obliged to commit the conduct of all affairs to his ministers. He imputed every misfortune which befell him, and every miscarriage that happened, even when the former was unavoidable or the latter accidental, to his inability to take the inspection of business himself. He complained of his hard fortune in being opposed in his declining years to a rival who was in the full vigour of life, and that, while Henry could take and execute all his resolutions in person, he should now be reduced, both in council and in action, to rely on the talents and exertions of other men. Having thus grown old before his time, he wisely judged it more decent to conceal his infirmities in some solitude than to expose them any longer to the public eye, and prudently determined not to forfeit the fame or lose the acquisitions of his better years by struggling with a vain obstinacy to retain the reins of government when he was no longer able to hold them with steadiness or to guide them with address.[42]

[42] Dom Lévesque, in his memoirs of Cardinal Granvelle, gives a reason for the emperor's resignation which, as far as I recollect, is not mentioned by any other historian. He says that the emperor having ceded the government of the kingdom of Naples and the duchy of Milan to his son upon his marriage with the queen of England, Philip, notwithstanding the advice and entreaties of his father, removed most of the ministers and officers whom he had employed in those countries, and appointed creatures of his own to fill the places which they held; that he aspired openly, and with little

But though Charles had revolved this scheme in his mind for several years, and had communicated it to his sisters, the dowager queens of France and Hungary, who not only approved of his intention but offered to accompany him to whatever place of retreat he should choose, several things had hitherto prevented his carrying it into execution. He could not think of loading his son with the government of so many kingdoms until he should attain such maturity of age and of abilities as would enable him to sustain that weighty burden. But as Philip had now reached his twenty-eighth year, and had been early accustomed to business, for which he discovered both inclination and capacity, it can hardly be imputed to the partiality of paternal affection that his scruples with regard to this point were entirely removed, and that he thought he might place his son, without further hesitation or delay, on the throne which he himself was about to abandon. His mother's situation had been another obstruction in his way; for although she had continued almost fifty years in confinement, and under the same disorder of mind which concern for her husband's death had brought upon her, yet the government of Spain was still vested in her jointly with the emperor; her name was inserted together with his in all the public instruments issued in that kingdom; and such was the fond attachment of the Spaniards to her that they would probably have scrupled to recognize Philip as their sovereign unless she had consented to assume him as her partner on the throne. Her utter incapacity for business rendered it impossible to obtain her consent. But her death, which happened this year, removed this difficulty; and as Charles, upon that event, became sole monarch of Spain, it left the succession open to his son. The war with France had likewise been a reason for retaining the administration of affairs in his own hand, as he was extremely solicitous to have terminated it, that he might have given up his kingdoms to his son at peace with all the world. But as Henry had discovered no disposition to close with any of his overtures, and had even rejected proposals of peace which were equal and moderate, in a tone that seemed to indicate a fixed purpose of continuing hostilities, he saw that it was vain to wait longer in expectation of an event which, however desirable, was altogether uncertain.

As this, then, appeared to be the proper juncture for executing the scheme which he had long meditated, Charles resolved to resign his kingdoms to his son with a solemnity suitable to the importance of the transaction, and to perform this last act of sovereignty with such formal pomp as might leave a lasting impression on the minds not only of his subjects but of his successor. With this view he called Philip out of England, where the peevish temper of his queen, which increased with her despair of having issue, rendered him extremely unhappy, and the jealousy of the English left him no hopes of obtaining the direction of their affairs. Having assembled the states of the Low Countries at Brussels, on the twenty-fifth of October, Charles seated

delicacy, to obtain a share in the administration of affairs in the Low Countries; that he endeavoured to thwart the emperor's measures and to limit his authority, behaving towards him sometimes with inattention and sometimes with haughtiness; that, Charles finding that he must either yield on every occasion to his son or openly contend with him, in order to avoid either of these, which were both disagreeable and mortifying to a father, he took the resolution of resigning his crowns and of retiring from the world. (Vol. i. p. 24, etc.) Dom Lévesque derived his information concerning these curious facts, which he relates very briefly, from the original papers of Cardinal Granvelle. But as that vast collection of papers, which has been preserved and arranged by M. l'Abbé Boizot of Besançon, though one of the most valuable historical monuments of the sixteenth century, and which cannot fail of throwing much light on the transactions of Charles V., is not published, I cannot determine what degree of credit should be given to this account of Charles's resignation. I have therefore taken no notice of it in relating this event.

himself for the last time in the chair of state, on one side of which was placed his son, and on the other his sister, the queen of Hungary, regent of the Netherlands, with a splendid retinue of the princes of the empire and grandees of Spain standing behind him. The president of the council of Flanders, by his command, explained, in a few words, his intention in calling this extraordinary meeting of the states. He then read the instrument of resignation, by which Charles surrendered to his son Philip all his territories, jurisdiction, and authority in the Low Countries, absolving his subjects there from the oath of allegiance to him, which he required them to transfer to Philip, his lawful heir, and to serve him with the same loyalty and zeal which they had manifested, during so long a course of years, in support of his government.

Charles then rose from his seat, and, leaning on the shoulder of the prince of Orange, because he was unable to stand without support, he addressed himself to the audience, and from a paper which he held in his hand, in order to assist his memory, he recounted, with dignity, but without ostentation, all the great things which he had undertaken and performed since the commencement of his administration. He observed that from the seventeenth year of his age he had dedicated all his thoughts and attention to public objects, reserving no portion of his time for the indulgence of his ease, and very little for the enjoyment of private pleasure; that, either in a pacific or hostile manner, he had visited Germany nine times, Spain six times, France four times, Italy seven times, the Low Countries ten times, England twice, Africa as often, and had made eleven voyages by sea; that, while his health permitted him to discharge his duty, and the vigour of his constitution was equal in any degree to the arduous office of governing such extensive dominions, he had never shunned labour nor repined under fatigue; that now, when his health was broken, and his vigour exhausted by the rage of an incurable distemper, his growing infirmities admonished him to retire; nor was he so fond of reigning as to retain the sceptre in an impotent hand, which was no longer able to protect his subjects or to secure to them the happiness which he wished they should enjoy; that, instead of a sovereign worn out with diseases and scarcely half alive, he gave them one in the prime of life, accustomed already to govern, and who added to the vigour of youth all the attention and sagacity of maturer years; that if during the course of a long administration he had committed any material error in government, or if, under the pressure of so many and great affairs and amidst the attention which he had been obliged to give to them, he had either neglected or injured any of his subjects, he now implored their forgiveness; that, for his part, he should ever retain a grateful sense of their fidelity and attachment, and would carry the remembrance of it along with him to the place of his retreat, as his sweetest consolation, as well as the best reward for all his services, and in his last prayers to Almighty God would pour forth his most earnest petitions for their welfare.

Then turning towards Philip, who fell on his knees and kissed his father's hand,—"If," says he, "I had left you by my death this rich inheritance, to which I have made such large additions, some regard would have been justly due to my memory on that account; but now, when I voluntarily resign to you what I might have still retained, I may well expect the warmest expressions of thanks on your part. With these, however, I dispense, and shall consider your concern for the welfare of your subjects, and your love of them, as the best and most acceptable testimony of your gratitude to me. It is in your power, by a wise and virtuous administration, to justify the extraordinary proof which I this day give of my paternal affection, and to demonstrate that you are worthy of the confidence which I repose in you. Preserve an inviolable

regard for religion; maintain the Catholic faith in its purity; let the laws of your country be sacred in your eyes; encroach not on the rights and privileges of your people; and if the time should ever come when you shall wish to enjoy the tranquillity of private life, may you have a son endowed with such qualities that you can resign your sceptre to him with as much satisfaction as I give up mine to you."

As soon as Charles had finished this long address to his subjects and to their new sovereign, he sunk into the chair, exhausted and ready to faint with the fatigue of such an extraordinary effort. During his discourse the whole audience melted into tears, some from admiration of his magnanimity, others softened by the expressions of tenderness towards his son and of love to his people; and all were affected with the deepest sorrow at losing a sovereign who, during his administration, had distinguished the Netherlands, his native country, with particular marks of his regard and attachment.

Philip then arose from his knees, and, after returning thanks to his father, with a low and submissive voice, for the royal gift which his unexampled bounty had bestowed upon him, he addressed the assembly of the states, and regretting his inability to speak the Flemish language with such facility as to express what he felt on this interesting occasion, as well as what he owed to his good subjects in the Netherlands, he begged that they would permit Granvelle, bishop of Arras, to deliver what he had given him in charge to speak in his name. Granvelle, in a long discourse, expatiated on the zeal with which Philip was animated for the good of his subjects, on his resolution to devote all his time and talents to the promoting of their happiness, and on his intention to imitate his father's example in distinguishing the Netherlands with particular marks of his regard. Maës, a lawyer of great eloquence, replied, in the name of the states, with large professions of their fidelity and affection to their new sovereign.

Then Mary, queen-dowager of Hungary, resigned the regency with which she had been intrusted by her brother during the space of twenty-five years. Next day Philip, in presence of the states, took the usual oaths to maintain the rights and privileges of his subjects; and all the members, in their own name and in that of their constituents, swore allegiance to him.[43]

A few weeks after this transaction, Charles, in an assembly no less splendid, and with a ceremonial equally pompous, resigned to his son the crowns of Spain, with all the territories depending on them, both in the Old and in the New World. Of all these vast possessions he reserved nothing for himself but an annual pension of a hundred thousand crowns, to defray the charges of his family and to afford him a small sum for acts of beneficence and charity.[44]

[43] Godleveus, Relatio Abdicationis Car. V., ap. Goldast., Polit. Imper., p. 377.—Strada de Bello Belgico, lib. i. p. 5.

[44] The emperor's resignation is an event not only of such importance, but of such a nature, that the precise date of it one would expect should have been ascertained by historians with the greatest accuracy. There is, however, an amazing and unaccountable diversity among them with regard to this point. All agree that the deed by which Charles transferred to his son his dominions in the Netherlands bears date at Brussels the 25th of October. Sandoval fixes on the 28th of October as the day on which the ceremony of resignation happened, and he was present at the transaction (vol. ii. p. 532). Godleveus, who published a treatise De Abdicatione Caroli V., fixes the public ceremony, as well as the date of the instrument of resignation, on the 25th. Père Barre, I know not on what authority, fixes it on the 24th of November. (Hist. d'Alem., viii. 976.) Herrera agrees with Godleveus in his account of this matter (tom. i. 155); as likewise does Pallavicini, whose authority with respect to dates, and everything where a minute accuracy is requisite, is of great weight. (Hist., lib. xvi. p. 168.) Historians differ no less with regard to the day on which Charles resigned the crown of Spain to his son. According to M de Thou, it was a month after his having resigned his dominions in the Netherlands,—*i.e.*, about the 25th of

As he had fixed on a place of retreat in Spain, hoping that the dryness and the warmth of the climate in that country might mitigate the violence of his disease, which had been much increased by the moisture of the air and the rigour of the winters in the Netherlands, he was extremely impatient to embark for that kingdom, and to disengage himself entirely from business, which he found to be impossible while he remained in Brussels. But his physicians remonstrated so strongly against his venturing to sea at that cold and boisterous season of the year, that he consented, though with reluctance, to put off his voyage for some months.

By yielding to their entreaties, he had the satisfaction, before he left the Low Countries, of taking a considerable step towards a peace with France, which he ardently wished for, not only on his son's account, but that he might have the merit, when quitting the world, of re-establishing that tranquillity in Europe which he had banished out of it almost from the time that he assumed the administration of affairs. Previous to his resignation, commissioners had been appointed by him and by the French king, in order to treat of an exchange of prisoners. In their conferences at the abbey of Vaucelles, near Cambray, an expedient was accidentally proposed for terminating hostilities between the contending monarchs by a long truce, during the subsistence of which, and without discussing their respective claims, each should retain what was now in his possession. Charles, sensible how much his kingdoms were exhausted by the expensive and almost continual wars in which his ambition had engaged him, and eager to gain for his son a short interval of peace, that he might establish himself firmly on his throne, declared warmly for closing with the overture, though manifestly dishonourable as well as disadvantageous; and such was the respect due to his wisdom and experience that Philip, notwithstanding his unwillingness to purchase peace by such concessions, did not presume to urge his opinion in opposition to that of his father.

Henry could not have hesitated one moment about giving his consent to a truce on such conditions as would leave him in quiet possession of the greater part of the duke of Savoy's dominions, together with the important conquests which he had made on the German frontier. But it was no easy matter to reconcile such a step with the engagements which he had come under to the pope, in his late treaty with him. The Constable Montmorency, however, represented in such a striking light the imprudence of sacrificing the true interests of his kingdom to these rash obligations, and took such advantage of the absence of the cardinal of Lorraine, who had seduced the king into his alliance with the Caraffas, that Henry, who was naturally fluctuating and unsteady and apt to be influenced by the advice last given him, authorized his ambassadors to sign a treaty of truce with the emperor for five years, on the

November. (Thuan., lib. xvi. p. 571.) According to Sandoval, it was on the 16th of January, 1556. (Sand., ii. 630.) Antonio de Vera agrees with him. (Epitome de la Vida de Car. V., p. 110.) According to Pallavicini, it was on the 17th (Pal., lib. xvi. p. 168); and with him Herrera agrees (Vida de D. Filipo, tom. i. p. 233). But Ferreras fixes it on the 1st day of January. (Hist. Génér., tom. ix. p. 371.) M. de Beaucaire supposes the resignation of the crown of Spain to have been executed a few days after the resignation of the Netherlands. (Com. de Reb. Gall., p. 879.) It is remarkable that in the treaty of truce at Vaucelles, though Charles had made over all his dominions to his son some weeks previous to the conclusion of it, all the stipulations are in the emperor's name, and Philip is only styled king of England and Naples. It is certain Philip was not proclaimed king of Castile, etc., at Valladolid sooner than the 24th of March (Sandov., ii. p. 606); and previous to that ceremony he did not choose, it should seem, to assume the title of king of any of his Spanish kingdoms, or to perform any act of royal jurisdiction. In a deed annexed to the treaty of truce, dated April 19, he assumes the title of king of Castile, etc., in the usual style of the Spanish monarchs in that age. Corps Diplom., tom. iv., Append., p. 85.

terms which had been proposed. But, that he might not seem to have altogether forgotten his ally the pope, who he foresaw would be highly exasperated, he, in order to soothe him, took care that he should be expressly included in the truce.[45]

The count of Lalain repaired to Blois, and the Admiral de Coligny to Brussels; the former to be present when the king of France, and the latter when the emperor and his son, ratified the treaty and bound themselves by oath to observe it.[46] When an account of the conferences at Vaucelles, and of the conditions of truce which had been proposed there, was first carried to Rome, it gave the pope no manner of disquiet. He trusted so much to the honour of the French monarch that he would not allow himself to think that Henry could forget so soon or violate so shamefully all the stipulations in his league with him. He had such a high opinion of the emperor's wisdom that he made no doubt of his refusing his consent to a truce on such unequal terms; and on both these accounts he confidently pronounced that this, like many preceding negotiations, would terminate in nothing. But later and more certain intelligence soon convinced him that no reasoning in political affairs is more fallacious than because an event is improbable to conclude that it will not happen. The sudden and unexpected conclusion of the truce filled Paul with astonishment and terror. The cardinal of Lorraine durst not encounter that storm of indignation to which he knew that he should be exposed from the haughty pontiff, who had so good reason to be incensed; but, departing abruptly from Rome, he left to the Cardinal Tournon the difficult task of attempting to soothe Paul and his nephews. They were fully sensible of the perilous situation in which they now stood. By their engagements with France, which were no longer secret, they had highly irritated Philip. They dreaded the violence of his implacable temper. The duke of Alva, a minister fitted as well by his abilities as by the severity of his nature for executing all Philip's rigorous schemes, had advanced from Milan to Naples, and began to assemble troops on the frontiers of the ecclesiastical state; while they, if deserted by France, must not only relinquish all the hopes of dominion and sovereignty to which their ambition aspired, but remain exposed to the resentment of the Spanish monarch, without one ally to protect them against an enemy with whom they were so little able to contend.

Under these circumstances, Paul had recourse to the arts of negotiation and intrigue, of which the papal court knows well how to avail itself in order to ward off any calamity threatened by an enemy superior in power. He affected to approve highly of the truce, as a happy expedient for putting a stop to the effusion of Christian blood. He expressed his warmest wishes that it might prove the forerunner of a definitive peace. He exhorted the rival princes to embrace this favourable opportunity of setting on foot a negotiation for that purpose, and offered, as their common father, to be mediator between them. Under this pretext, he appointed Cardinal Rebiba his nuncio to the court of Brussels, and his nephew, Cardinal Caraffa, to that of Paris. The public instructions given to both were the same; that they should use their utmost endeavours to prevail with the two monarchs to accept of the pope's mediation, that by means of it peace might be re-established and measures

[45] Mémoires de Ribier, ii. 626.—Corps Diplomatique, tom. iv., Appendix, 81.

[46] One of Admiral de Coligny's attendants, who wrote to the court of France an account of what happened while they resided at Brussels, takes notice, as an instance of Philip's unpoliteness, that he received the French ambassador in an apartment hung with tapestry which represented the battle of Pavia, the manner in which Francis I. was taken prisoner, his voyage to Spain, with all the mortifying circumstances of his captivity and imprisonment at Madrid. Mém. de Ribier, ii. 634.

might be taken for assembling a general council. But under this specious appearance of zeal for attaining objects so desirable in themselves, and so becoming his sacred character to pursue, Paul concealed very different intentions. Caraffa, besides his public instructions, received a private commission to solicit the French king to renounce the treaty of truce and to renew his engagements with the holy see; and he was empowered to spare neither entreaties, nor promises, nor bribes, in order to gain that point. This both the uncle and the nephew considered as the real end of the embassy, while the other served to amuse the vulgar or to deceive the emperor and his son. The cardinal, accordingly, set out instantly for Paris, and travelled with the greatest expedition, whilst Rebiba was detained some weeks at Rome; and when it became necessary for him to begin his journey he received secret orders to protract it as much as possible, that the issue of Caraffa's negotiation might be known before he should reach Brussels, and, according to that, proper directions might be given to him with regard to the tone which he should assume in treating with the emperor and his son.[47]

Caraffa made his entry into Paris with extraordinary pomp; and, having presented a consecrated sword to Henry, as the protector on whose aid the pope relied in the present exigency, he besought him not to disregard the entreaties of a parent in distress, but to employ that weapon which he gave him in his defence. This he represented not only as a duty of filial piety, but as an act of justice. As the pope, from confidence in the assistance and support which his late treaty with France entitled him to expect, had taken such steps as had irritated the king of Spain, he conjured Henry not to suffer Paul and his family to be crushed under the weight of that resentment which they had drawn on themselves merely by their attachment to France. Together with this argument addressed to his generosity, he employed another which he hoped would work on his ambition. He affirmed that now was the time when with the most certain prospect of success he might attack Philip's dominions in Italy; that the flower of the veteran Spanish bands had perished in the wars of Hungary, Germany, and the Low Countries; that the emperor had left his son an exhausted treasury, and kingdoms drained of men; that he had no longer to contend with the abilities, the experience, and good fortune of Charles, but with a monarch scarcely seated on his throne, unpractised in command, odious to many of the Italian states, and dreaded by all. He promised that the pope, who had already levied soldiers, would bring a considerable army into the field, which, when joined by a sufficient number of French troops, might by one brisk and sudden effort drive the Spaniards out of Naples and add to the crown of France a kingdom the conquest of which had been the great object of all his predecessors during half a century and the chief motive of all their expeditions into Italy.

Every word Caraffa spoke made a deep impression on Henry; conscious, on the one hand, that the pope had just cause to reproach him with having violated the laws not only of generosity but of decency when he renounced his league with him and had agreed to the truce of Vaucelles, and eager, on the other hand, not only to distinguish his reign by a conquest which three former monarchs had attempted without success, but likewise to acquire an establishment of such dignity and value for one of his sons. Reverence, however, for the oath by which he had so lately confirmed the truce of Vaucelles, the extreme old age of the pope, whose death might occasion an entire revolution in the political system of Italy, together with the representations of Montmorency, who repeated all the arguments he had used against the first league with Paul, and pointed out the great and immediate advantages which France

[47] Pallav., lib. xiii. p. 169.—Burnet, Hist. Reform., ii., App., 309.

derived from the truce, kept Henry for some time in suspense, and might possibly have outweighed all Caraffa's arguments. But the cardinal was not such a novice in the arts of intrigue and negotiation as not to have expedients ready for removing or surmounting all these obstacles. To obviate the king's scruple with regard to his oath, he produced powers from the pope to absolve him from the obligation of it. By way of security against any danger which he might apprehend from the pope's death, he engaged that his uncle would make such a nomination of cardinals as should give Henry the absolute command of the next election, and enable him to place in the papal chair a person entirely devoted to his interest.

In order to counterbalance the effect of the constable's opinion and influence, he employed not only the active talents of the duke of Guise, and the eloquence of his brother, the cardinal of Lorraine, but the address of the queen, aided by the more powerful arts of Diana of Poitiers, who, unfortunately for France, co-operated with Catharine in this point, though she took pleasure on almost every other occasion to thwart and mortify her. They, by their united solicitations, easily swayed the king, who leaned of his own accord to that side towards which they wished him to incline. All Montmorency's prudent remonstrances were disregarded; the nuncio absolved Henry from his oath; and he signed a new league with the pope, which rekindled the flames of war both in Italy and in the Low Countries.

As soon as Paul was informed by his nephew that there was a fair prospect of his succeeding in this negotiation, he despatched a messenger after the nuncio Rebiba, with orders to return to Rome, without proceeding to Brussels. As it was now no longer necessary to preserve that tone of moderation which suited the character of a mediator and which he had affected to assume, or to put any farther restraint upon his resentment against Philip, he boldly threw off the mask, and took such violent steps as rendered a rupture unavoidable. He seized and imprisoned the Spanish envoy at his court. He excommunicated the Colonnas; and having deprived Marco Antonio, the head of that family, of the dukedom of Paliano, he granted that dignity, together with the territory annexed to it, to his nephew, the count of Montorio. He ordered a legal information to be presented in the consistory of cardinals against Philip, setting forth that he, notwithstanding the fidelity and allegiance due by him to the holy see, of which he held the kingdom of Naples, had not only afforded a retreat in his dominions to the Colonnas, whom the pope had excommunicated and declared rebels, but had furnished them with arms, and was ready, in conjunction with them, to invade the ecclesiastical state in a hostile manner; that such conduct in a vassal was to be deemed treason against his liege-lord, the punishment of which was the forfeiture of his fief. Upon this the consistorial advocate requested the pope to take cognizance of the cause, and to appoint a day for hearing of it, when he would make good every article of the charge, and expect from his justice that sentence which the heinousness of Philip's crimes merited. Paul, whose pride was highly flattered with the idea of trying and passing judgment on so great a king, assented to his request, and, as if it had been no less easy to execute than to pronounce such a sentence, declared that he would consult with the cardinals concerning the formalities requisite in conducting the trial.[48]

But, while Paul allowed his pride and resentment to drive him on with such headlong impetuosity, Philip discovered an amazing moderation on his part. He had been taught, by the Spanish ecclesiastics who had the charge of his education, a profound veneration for the holy see. This sentiment, which had been early infused, grew up with him as he advanced in years, and

[48] Pallav., lib. xiii. 171.

took full possession of his mind, which was naturally thoughtful, serious, and prone to superstition. When he foresaw a rupture with the pope approaching, he had such violent scruples with respect to the lawfulness of taking arms against the vicegerent of Christ and the common father of all Christians that he consulted some Spanish divines upon that point. They, with the usual dexterity of casuists in accommodating their responses to the circumstances of those who apply to them for direction, assured him that, after employing prayers and remonstrances in order to bring the pope to reason, he had full right, both by the laws of nature and of Christianity, not only to defend himself when attacked, but to begin hostilities, if that were judged the most proper expedient for preventing the effects of Paul's violence and injustice. Philip nevertheless continued to deliberate and delay, considering it as a most cruel misfortune that his administration should open with an attack on a person whose sacred function and character he so highly respected.[49]

At last the duke of Alva, who, in compliance with his master's scruples, had continued to negotiate long after he should have begun to act, finding Paul inexorable, and that every overture of peace and every appearance of hesitation on his part increased the pontiff's natural arrogance, took the field and entered the ecclesiastical territories. His army did not exceed twelve thousand men; but it was composed of veteran soldiers, and commanded chiefly by those Roman barons whom Paul's violence had driven into exile. The valour of the troops, together with the animosity of their leaders, who fought in their own quarrel and to recover their own estates, supplied the want of numbers. As none of the French forces were yet arrived, Alva soon became master of the Campagna Romana; some cities being surrendered through the cowardice of the garrisons, which consisted of raw soldiers, ill disciplined and worse commanded; the gates of others being opened by the inhabitants, who were eager to receive back their ancient masters. Alva, that he might not be taxed with impiety in seizing the patrimony of the Church, took possession of the towns which capitulated, in the name of the college of cardinals, to which, or to the pope that should be chosen to succeed Paul, he declared that he would immediately restore them.

The rapid progress of the Spaniards, whose light troops made excursions even to the gates of Rome, filled that city with consternation. Paul, though inflexible and undaunted himself, was obliged to give way so far to the fears and solicitations of the cardinals as to send deputies to Alva, in order to propose a cessation of arms. The pope yielded the more readily as he was sensible of a double advantage which might be derived from obtaining that point. It would deliver the inhabitants of Rome from their present terror, and would afford time for the arrival of the succours which he expected from France. Nor was Alva unwilling to close with the overture, both as he knew how desirous his master was to terminate a war which he had undertaken with reluctance, and as his army was so much weakened by garrisoning the great number of towns which he had reduced that it was hardly in a condition to keep the field without fresh recruits. A truce was accordingly concluded, first for ten and afterwards for forty days, during which various schemes of peace were proposed and perpetual negotiations were carried on, but with no sincerity on the part of the pope. The return of his nephew the cardinal to Rome, the receipt of a considerable sum remitted by the king of France, the arrival of one body of French troops, together with the expectation of others which had begun their march, rendered him more arrogant than ever, and banished all thoughts from his mind but those of war and revenge.[50]

[49] Ferreras, Hist. d'Espagne, ix. 373.—Herrera, i. 308.

[50] Pallav., lib. xiii. 177.—Thuan., lib. xvii. 588.—Mém. de Ribier, ii. 664.

BOOK XII.

New and fruitless Attempt of the Emperor to procure the Succession for his Son, Philip—He sets out for Spain—His Retreat at St. Justus—The Pope renews Hostilities against Philip—Duke of Guise's Operations—Philip gains the Aid of England—The War in the Netherlands—Siege of St. Quentin—Measures of Henry for the Defence of France—Peace between the Pope and Philip—Placentia restored to the Duke of Parma—Cosmo de' Medici recovers Siena—The Duke of Guise invests and takes Calais—Ferdinand chosen Successor to the Emperor, but is not acknowledged by the Pope—Marriage of the Dauphin and the Queen of Scots—Defeat of the French at Gravelines—Proposals for Peace—Death of Charles V.—Death of Mary of England—Both Henry and Philip court her Successor, Elizabeth—Her Artifice towards Philip—Articles of Peace agreed upon—Death of Henry—State of Europe during the Reign of Charles V.—Progress of the House of Austria—Growth of France, and of England—The Reformation—State of Venice and other Italian Nations;—of Russia, and the Northern Powers.

While these operations or intrigues kept the pope and Philip busy and attentive, the emperor disentangled himself finally from all the affairs of this world, and set out for the place of his retreat. He had hitherto retained the imperial dignity, not from any unwillingness to relinquish it, for, after having resigned the real and extensive authority that he enjoyed in his hereditary dominions, to part with the limited and often ideal jurisdiction which belongs to an elective crown was no great sacrifice. His sole motive for delay was to gain a few months, for making one trial more in order to accomplish his favourite scheme in behalf of his son. At the very time Charles seemed to be most sensible of the vanity of worldly grandeur, and when he appeared to be quitting it not only with indifference but with contempt, the vast schemes of ambition which had so long occupied and engrossed his mind still kept possession of it. He could not think of leaving his son in a rank inferior to that which he himself had held among the princes of Europe. As he had, some years before, made a fruitless attempt to secure the imperial crown to Philip, that by uniting it to the kingdoms of Spain and the dominions of the house of Burgundy he might put it in his power to prosecute with a better prospect of success those great plans which his own infirmities had obliged him to abandon, he was still unwilling to relinquish this flattering project as chimerical or unattainable.

Notwithstanding the repulse which he had formerly met with from his brother Ferdinand, he renewed his solicitations with fresh importunity, and during the summer had tried every art and employed every argument which he thought could induce him to quit the imperial throne to Philip, and to accept of the investiture of some province, either in Italy or in the Low Countries, as an equivalent.[1] But Ferdinand, who was so firm and inflexible with regard to this point that he had paid no regard to the solicitations of the emperor even when they were enforced with all the weight of authority which accompanies supreme power, received the overture that now came from him,

[1] Ambassades de Noailles, tom. v. 356.

in the situation to which he had descended, with great indifference, and would hardly deign to listen to it. Charles, ashamed of his own credulity in having imagined that he might accomplish that now which he had attempted formerly without success, desisted finally from his scheme. He then resigned the government of the empire, and, having transferred all his claims of obedience and allegiance from the Germanic body to his brother the king of the Romans, he executed a deed to that effect, with all the formalities requisite in such an important transaction. The instrument of resignation he committed to William, prince of Orange, and empowered him to lay it before the college of electors.[2]

Nothing now remained to detain Charles from that retreat for which he languished. The preparations for his voyage having been made for some time, he set out for Zuitburg in Zealand, where the fleet which was to convoy him had orders to assemble. In his way thither he passed through Ghent, and, after stopping there a few days, to indulge that tender and pleasing melancholy which arises in the mind of every man in the decline of life on visiting the place of his nativity and viewing the scenes and objects familiar to him in his early youth, he pursued his journey, accompanied by his son Philip, his daughter the archduchess, his sisters the dowager queens of France and Hungary, Maximilian his son-in-law, and a numerous retinue of the Flemish nobility. Before he went on board, he dismissed them, with marks of his attention or regard, and, taking leave of Philip with all the tenderness of a father who embraced his son for the last time, he set sail on the seventeenth of September, under the convoy of a large fleet of Spanish, Flemish, and English ships. He declined a pressing invitation from the queen of England to land in some part of her dominions, in order to refresh himself and that she might have the comfort of seeing him once more. "It cannot surely," said he, "be agreeable to a queen to receive a visit from a father-in-law who is now nothing more than a private gentleman."

His voyage was prosperous, and he arrived at Laredo, in Biscay, on the eleventh day after he left Zealand. As soon as he landed, he fell prostrate on the ground; and, considering himself now as dead to the world, he kissed the earth, and said, "Naked came I out of my mother's womb, and naked I now return to thee, thou common mother of mankind." From Laredo he pursued his journey to Burgos, carried sometimes in a chair and sometimes in a horse-litter, suffering exquisite pain at every step, and advancing with the greatest difficulty. Some of the Spanish nobility repaired to Burgos in order to pay court to him; but they were so few in number, and their attendance was so negligent, that Charles observed it, and felt, for the first time, that he was no longer a monarch. Accustomed from his early youth to the dutiful and officious respect with which those who possess sovereign power are attended, he had received it with the credulity common to princes, and was sensibly mortified when he now discovered that he had been indebted to his rank and power for much of that obsequious regard which he had fondly thought was paid to his personal qualities. But, though he might have soon learned to view with unconcern the levity of his subjects or to have despised their neglect, he was more deeply afflicted with the ingratitude of his son, who, forgetting already how much he owed to his father's bounty, obliged him to remain some weeks at Burgos before he paid him the first moiety of that small pension which was all that he had reserved of so many kingdoms. As without this sum Charles could not dismiss his domestics with such rewards as their services merited or his generosity had destined for them, he could not help expressing both surprise and

[2] Goldast., Constit. Imper., par. i. 576.

dissatisfaction.[3] At last the money was paid, and Charles having dismissed a great number of his domestics, whose attendance he thought would be superfluous or cumbersome in his retirement, he proceeded to Valladolid. There he took a last and tender leave of his two sisters, whom he would not permit to accompany him to his solitude, though they requested him with tears, not only that they might have the consolation of contributing, by their attendance and care, to mitigate or to soothe his sufferings, but that they might reap instruction and benefit by joining with him in those pious exercises to which he had consecrated the remainder of his days.

From Valladolid he continued his journey to Plasencia, in Estremadura. He had passed through this place a great many years before, and having been struck at that time with the delightful situation of the monastery of St. Justus, belonging to the order of St. Jerome, not many miles distant from the town, he had then observed to some of his attendants that this was a spot to which Diocletian might have retired with pleasure. The impression had remained so strong on his mind that he pitched upon it as the place of his own retreat. It was seated in a vale of no great extent, watered by a small brook, and surrounded by rising grounds, covered with lofty trees: from the nature of the soil, as well as the temperature of the climate, it was esteemed the most healthful and delicious situation in Spain. Some months before his resignation he had sent an architect thither, to add a new apartment to the monastery for his accommodation; but he gave strict orders that the style of the building should be such as suited his present station, rather than his former dignity. It consisted only of six rooms, four of them in the form of friars' cells, with naked walls; the other two, each twenty feet square, were hung with brown cloth and furnished in the most simple manner. They were all on a level with the ground, with a door on one side into a garden, of which Charles himself had given the plan and had filled it with various plants which he intended to cultivate with his own hands. On the other side they communicated with the chapel of the monastery, in which he was to perform his devotions. Into this humble retreat, hardly sufficient for the comfortable accommodation of a private gentleman, did Charles enter with twelve domestics only. He buried there, in solitude and silence, his grandeur, his ambition, together with all those vast projects which during almost half a century had alarmed and agitated Europe, filling every kingdom in it, by turns, with the terror of his arms and the dread of being subdued by his power.[4]

The contrast between Charles's conduct and that of the pope at this juncture was so obvious that it struck even the most careless observers; nor was the comparison which they made to the advantage of Paul. The former, a conqueror, born to reign, long accustomed to the splendour which accompanies supreme power, and to those busy and interesting scenes in which an active ambition had engaged him, quitted the world at a period of life not far advanced, that he might close the evening of his days in tranquillity and secure some interval for sober thought and serious recollection. The latter, a priest who had passed the early part of his life in the shade of the schools and in the study of the speculative sciences, who was seemingly so detached from the world that he had shut himself up for many years in the solitude of a cloister, and who was not raised to the papal throne until he had reached the extremity of old age, discovered at once all the impetuosity of youthful ambition, and formed extensive schemes, in order to accomplish which he scrupled not to scatter the seeds of discord and to kindle the flames of war in every corner of

[3] Strabo de Bello Belg., lib. i. 9.
[4] Sandov. ii., 607, et Zuñiga, 100.—Thuan., lib. xvii. 609.

Europe. But Paul, regardless of the opinion or censures of mankind, held on his own course with his wonted arrogance and violence. These, although they seemed already to have exceeded all bounds, rose to a still greater height upon the arrival of the duke of Guise into Italy.

That which the two princes of Lorraine foresaw and desired had happened. The duke of Guise was intrusted with the command of the army appointed to march to the pope's assistance. It consisted of twenty thousand men of the best troops in the service of France. So high was the duke's reputation, and such the general expectation of beholding some extraordinary exertion of his courage and abilities, in a war into which he had precipitated his country chiefly with the design of obtaining a field where he might display his own talents, that many of the French nobility, who had no command in the troops employed, accompanied him as volunteers. This army passed the Alps in an inclement season, and advanced towards Rome without any opposition from the Spaniards, who, as they were not strong enough to act in different parts, had collected all their forces into one body on the frontiers of Naples, for the defence of that kingdom.

Emboldened by the approach of the French, the pope let loose all the fury of his resentment against Philip, which, notwithstanding the natural violence of his temper, prudential considerations had hitherto obliged him to keep under some restraint. He named commissioners, whom he empowered to pass judgment in the suit which the consistorial advocate had commenced against Philip in order to prove that he had forfeited the crown of Naples by taking arms against the holy see, of which he was a vassal. He recalled all the nuncios resident in the courts of Charles V., of Philip, or of any of their allies. This was levelled chiefly against Cardinal Pole, the papal legate in the court of England, whose great merit in having contributed so successfully to reconcile that kingdom to the Church of Rome, together with the expectation of farther services which he might perform, was not sufficient to screen him from the resentment that he had incurred by his zealous endeavours to establish peace between the house of Austria and France. He commanded an addition to be made to the anathemas annually denounced against the enemies of the Church on Maunday-Thursday, whereby he inflicted the censure of excommunication on the authors of the late invasion of the ecclesiastical territories, whatever their rank or dignity might be; and in consequence of this the usual prayers for the emperor were omitted next day in the pope's chapel.[5]

But, while the pope indulged himself in these wild and childish sallies of rage, either he neglected, or found that it exceeded his power, to take such measures as would have rendered his resentment really formidable and fatal to his enemies. For when the duke of Guise entered Rome, where he was received with a triumphal pomp which would have been more suitable if he had been returning after having terminated the war with glory than when he was going to begin it with a doubtful chance of success, he found none of the preparations for war in such forwardness as Cardinal Caraffa had promised or he had expected. The papal troops were far inferior in number to the quota stipulated; no magazines sufficient for their subsistence were formed; nor was money for paying them provided. The Venetians, agreeable to that cautious maxim which the misfortunes of their state had first led them to adopt, and which was now become a fundamental principle in their policy, declared their resolution to preserve an exact neutrality, without taking any part in the quarrels of princes so far superior to themselves in power. The other Italian states were either openly united in league with Philip, or secretly wished success to

[5] Pallav., lib. xiii. 180.—Mém. de Ribier, ii. 678.

his arms against a pontiff whose inconsiderate ambition had rendered Italy once more the seat of war.

The duke of Guise perceived that the whole weight of the war would devolve on the French troops under his command, and became sensible, though too late, how imprudent it is to rely, in the execution of great enterprises, on the aid of feeble allies. Pushed on, however, by the pope's impatience for action, as well as by his own desire of performing some part of what he had so confidently undertaken, he marched towards Naples and began his operations. But the success of these fell far short of his former reputation, of what the world expected, and of what he himself had promised. He opened the campaign with the siege of Civitella, a town of some importance on the Neapolitan frontier. But the obstinacy with which the Spanish governor defended it baffled all the impetuous efforts of the French valour, and obliged the duke of Guise, after a siege of three weeks, to retire from the town with disgrace. He endeavoured to wipe off that stain by advancing boldly towards the duke of Alva's camp and offering him battle. But that prudent commander, sensible of all the advantages of standing on the defensive before an invading enemy, declined an engagement and kept within his intrenchments, and, adhering to his plan with the steadiness of a Castilian, eluded, with great address, all the duke of Guise's stratagems to draw him into action.[6] By this time sickness began to waste the French army; violent dissensions had arisen between the duke of Guise and the commander of the pope's forces; the Spaniards renewed their incursions into the ecclesiastical state; the pope, when he found, instead of the conquests and triumph which he had fondly expected, that he could not secure his own territories from depredation, murmured, complained, and began to talk of peace. The duke of Guise, mortified to the last degree with having acted such an inglorious part, not only solicited his court either to reinforce his army or to recall him, but urged Paul to fulfil his engagements, and called on Cardinal Caraffa, sometimes with reproaches, sometimes with threats, to make good those magnificent promises from a rash confidence in which he had advised his master to renounce the truce of Vaucelles and to join in league with the pope.[7]

But, while the French affairs in Italy were in this wretched situation, an unexpected event happened in the Low Countries, which called the duke of Guise from a station wherein he could acquire no honour, to the most dignified and important charge which could be committed to a subject. As soon as the French had discovered their purpose of violating the truce of Vaucelles, not only by sending an army into Italy but by attempting to surprise some of the frontier towns in Flanders, Philip, though willing to have avoided a rupture, determined to prosecute the war with such spirit as should make his enemies sensible that his father had not erred when he judged him to be so capable of government that he had given up the reins into his hands. As he knew that Henry had been at great expense in fitting out the army under the duke of Guise, and that his treasury was hardly able to answer the exorbitant and endless demands of a distant war, he foresaw that all his operations in the Low Countries must of consequence prove feeble, and be considered only as secondary to those in Italy. For that reason, he prudently resolved to make his principal effort in that place where he expected the French to be weakest, and to bend his chief force against that quarter where they would feel a blow most sensibly. With this view, he assembled in the Low Countries an army of about fifty thousand men, the Flemings serving him on this occasion with

[6] Herrera, Vida de Filipo, 181. xiii. 181.—Burnet, ii., App., 317.
[7] Thuan., lib. xxviii. 614.—Pallav., lib.

that active zeal which subjects are wont to exert in obeying the first commands of a new sovereign. But Philip, cautious and provident even at that early period of life, did not rest all his hopes of success on that formidable force alone.

He had been labouring for some time to engage the English to espouse his quarrel; and, though it was manifestly the interest of that kingdom to maintain a strict neutrality, and the people themselves were sensible of the advantages which they derived from it, though he knew how odious his name was to the English and how averse they would be to co-operate with him in any measure, he nevertheless did not despair of accomplishing his point. He relied on the affection with which the queen doted on him, which was so violent that even his coldness and neglect had not extinguished it; he knew her implicit reverence for his opinion, and her fond desire of gratifying him in every particular. That he might work on these with greater facility and more certain success, he set out for England. The queen, who during her husband's absence had languished in perpetual dejection, resumed fresh spirits on his arrival, and, without paying the least attention either to the interest or to the inclinations of her people, entered warmly into all his schemes. In vain did her privy council remonstrate against the imprudence as well as danger of involving the nation in an unnecessary war; in vain did they put her in mind of the solemn treaties of peace subsisting between England and France, which the conduct of that nation had afforded her no pretext to violate. Mary, soothed by Philip's caresses, or intimidated by the threats which his ascendant over her emboldened him at some times to throw out, was deaf to everything that could be urged in opposition to his sentiments, and insisted with the greatest vehemence on an immediate declaration of war against France. The council, though all Philip's address and Mary's authority were employed to gain or overawe them, after struggling long, yielded at last, not from conviction, but merely from deference to the will of their sovereign. War was declared against France, the only one perhaps against that kingdom into which the English ever entered with reluctance. As Mary knew the aversion of the nation to this measure, she durst not call a parliament in order to raise money for carrying on the war. She supplied this want, however, by a stretch of royal prerogative not unusual in that age, and levied large sums on her subjects by her own authority. This enabled her to assemble a sufficient body of troops, and to send eight thousand men, under the conduct of the earl of Pembroke, to join Philip's army.[8]

Philip, who was not ambitious of military glory, gave the command of his army to Emanuel Philibert, duke of Savoy, and fixed his own residence at Cambray, that he might be at hand to receive the earliest intelligence of his motions and to aid him with his counsels. The duke opened the campaign with a masterly stroke of address, which justified Philip's choice and discovered such a superiority of genius over the French generals as almost insured success in his subsequent operations. He appointed the general rendezvous of his troops at a place considerably distant from the country which he destined to be the scene of action; and, having kept the enemy in suspense for a good time with regard to his intentions, he at last deceived them so effectually by the variety of his marches and countermarches as led them to conclude that he meant to bend all his force against the province of Champagne and would attempt to penetrate into the kingdom on that side. In consequence of this opinion, they drew all their strength towards that quarter, and, reinforcing the garrisons there, left the towns on other parts of the frontier destitute of troops sufficient to defend them.

[8] Carte, iii. 337.

The duke of Savoy, as soon as he perceived that this feint had its full effect, turned suddenly to the right, advanced by rapid marches into Picardy, and, sending his cavalry, in which he was extremely strong, before him, invested St. Quentin. This was a town deemed in that age of considerable strength, and of great importance, as there were few fortified cities between it and Paris. The fortifications, however, had been much neglected; the garrison, weakened by drafts sent towards Champagne, did not amount to a fifth part of the number requisite for its defence; and the governor, though a brave officer, was neither of rank nor authority equal to the command in a place of so much consequence, besieged by such a formidable army. A few days must have put the duke of Savoy in possession of the town, if the Admiral de Coligny, who thought it concerned his honour to attempt saving a place of such importance to his country, and which lay within his jurisdiction as governor of Picardy, had not taken the gallant resolution of throwing himself into it with such a body of men as he could collect on a sudden. This resolution he executed with great intrepidity, and, if the nature of the enterprise be considered, with no contemptible success; for, though one-half of his small body of troops was cut off, he with the other broke through the enemy and entered the town. The unexpected arrival of an officer of such high rank and reputation, and who had exposed himself to such danger in order to join them, inspired the desponding garrison with courage. Everything that the admiral's great skill and experience in the art of war could suggest for annoying the enemy or defending the town was attempted; and the citizens as well as the garrison, seconding his zeal with equal ardour, seemed to be determined that they would hold out to the last, and sacrifice themselves in order to save their country.[9]

The duke of Savoy, whom the English, under the earl of Pembroke, joined about this time, pushed on the siege with the greatest vigour. An army so numerous, and so well supplied with everything requisite, carried on its approaches with great advantage against a garrison which was still so feeble that it durst seldom venture to disturb or retard the enemy's operations by sallies. The admiral, sensible of the approaching danger, and unable to avert it, acquainted his uncle, the Constable Montmorency, who had the command of the French army, with his situation, and pointed out to him a method by which he might throw relief into the town. The constable, solicitous to save a town the loss of which would open a passage for the enemy into the heart of France, and eager to extricate his nephew out of that perilous situation in which zeal for the public had engaged him, resolved, though aware of the danger, to attempt what he desired. With this view, he marched from La Fère towards St. Quentin at the head of his army, which was not by one-half so numerous as that of the enemy, and having given the command of a body of chosen men to Coligny's brother, Dandelot, who was colonel-general of the French infantry, he ordered him to force his way into the town by that avenue which the admiral had represented as most practicable, while he himself, with the main army, would give the alarm to the enemy's camp on the opposite side and endeavour to draw all their attention towards that quarter. Dandelot executed his orders with greater intrepidity than conduct. He rushed on with such headlong impetuosity that, though it broke the first body of the enemy which stood in his way, it threw his own soldiers into the utmost confusion; and as they were attacked in that situation by fresh troops, which closed in upon them on every side, the greater part of them were cut in pieces, Dandelot, with about five hundred of the most adventurous and most fortunate, making good his entrance into the town.

[9] Thuan., lib. xix. 647.

Meanwhile, the constable, in executing his part of the plan, advanced so near the camp of the besiegers as rendered it impossible to retreat with safety in the face of an enemy so much superior in number. The duke of Savoy instantly perceived Montmorency's error, and prepared, with the presence of mind and abilities of a great general, to avail himself of it. He drew up his army in order of battle with the greatest expedition, and, watching the moment when the French began to file off towards La Fère, he detached all his cavalry, under the command of the count of Egmont, to fall on their rear, while he himself, at the head of his infantry, advanced to support him. The French retired at first in perfect order and with a good countenance; but when they saw Egmont draw near with his formidable body of cavalry, the shock of which they were conscious that they could not withstand, the prospect of imminent danger, added to distrust of their general, whose imprudence every soldier now perceived, struck them with general consternation. They began insensibly to quicken their pace, and those in the rear pressed so violently on such as were before them that in a short time their march resembled a flight rather than a retreat. Egmont, observing their confusion, charged them with the greatest fury, and in a moment all their men-at-arms, the pride and strength of the French troops in that age, gave way, and fled with precipitation. The infantry, however, whom the constable, by his presence and authority, kept to their colours, still continued to retreat in good order, until the enemy brought some pieces of cannon to bear upon their centre, which threw them into such confusion that the Flemish cavalry, renewing their attack, broke in, and the rout became universal. About four thousand of the French fell in the field, and among these the duke of Enghein, a prince of the blood, together with six hundred gentlemen. The constable, as soon as he perceived the fortune of the day to be irretrievable, rushed into the thickest of the enemy, with a resolution not to survive the calamity which his ill conduct had brought upon his country; but having received a dangerous wound, and being wasted with the loss of blood, he was surrounded by some Flemish officers to whom he was known, who protected him from the violence of the soldiers and obliged him to surrender. Besides the constable, the dukes of Montpensier and Longueville, the Maréchal St. André, many officers of distinction, three hundred gentlemen, and near four thousand private soldiers, were taken prisoners. All the colours belonging to the infantry, all the ammunition, and all the cannon, two pieces excepted, fell into the enemy's hands. The victorious army did not lose above fourscore men.[10]

This battle, no less fatal to France than the ancient victories of Crecy and Agincourt, gained by the English on the same frontier, bore a near resemblance to those disastrous events, in the suddenness of the rout, in the ill conduct of the commander-in-chief, in the number of persons of note slain or taken, and in the small loss sustained by the enemy. It filled France with equal consternation. Many inhabitants of Paris, with the same precipitancy and trepidation as if the enemy had been already at their gates, quitted the city and retired into the interior provinces. The king, by his presence and exhortations, endeavoured to console and to animate such as remained, and, applying himself with the greatest diligence to repair the ruinous fortifications of the city, prepared to defend it against the attack which he instantly expected. But, happily for France, Philip's caution, together with the intrepid firmness of the Admiral de Coligny, not only saved the capital from the danger to which it was exposed, but gained the nation a short interval, during which the people recovered from the terror and dejection occasioned by a blow no less severe

[10] Thuan., 650.—Haræi Annal. Brabant., ii. 692.—Herrera, 298.

than unexpected, and Henry had leisure to take measures for the public security, with the spirit which became the sovereign of a powerful and martial people.

Philip, immediately after the battle, visited the camp at St. Quentin, where he was received with all the exultation of military triumph; and such were his transports of joy on account of an event which threw so much lustre on the beginning of his reign, that they softened his severe and haughty temper into an unusual flow of courtesy. When the duke of Savoy approached, and was kneeling to kiss his hands, he caught him in his arms, and, embracing him with warmth, "It becomes me," says he, "rather to kiss your hands, which have gained me such a glorious and almost bloodless victory."

As soon as the rejoicings and congratulations on Philip's arrival were over, a council of war was held, in order to determine how they might improve their victory to the best advantage. The duke of Savoy, seconded by several of the ablest officers formed under Charles V., insisted that they should immediately relinquish the siege of St. Quentin, the reduction of which was now an object below their attention, and advance directly towards Paris; that, as there were neither troops to oppose nor any town of strength to retard their march, they might reach that capital while under the full impression of the astonishment and terror occasioned by the rout of the army, and take possession of it without resistance. But Philip, less adventurous or more prudent than his generals, preferred a moderate but certain advantage to an enterprise of greater splendour but of more doubtful success. He represented to the council the infinite resources of a kingdom so powerful as France, the great number as well as martial spirit of its nobles, their attachment to their sovereign, the manifold advantages with which they could carry on war in their own territories, and the unavoidable destruction which must be the consequence of their penetrating too rashly into the enemy's country, before they had secured such a communication with their own as might render a retreat safe, if upon any disastrous event that measure should become necessary. On all these accounts, he advised the continuance of the siege, and his generals acquiesced the more readily in his opinion as they made no doubt of being masters of the town in a few days, a loss of time of so little consequence in the execution of their plan that they might easily repair it by their subsequent activity.[11]

The weakness of the fortifications, and the small number of the garrison, which could no longer hope either for reinforcement or relief, seemed to authorize this calculation of Philip's generals. But in making it they did not attend sufficiently to the character of Admiral de Coligny, who commanded in the town. A courage undismayed and tranquil amidst the greatest dangers, an invention fruitful in resources, a genius which roused and seemed to acquire new force upon every disaster, a talent of governing the minds of men, together with a capacity of maintaining his ascendant over them even under circumstances the most adverse and distressful, were qualities which Coligny possessed in a degree superior to any general of that age. These qualities were peculiarly adapted to the station in which he was now placed; and, as he knew the infinite importance to his country of every hour which he could gain at this juncture, he exerted himself to the utmost in contriving how to protract the siege and to detain the enemy from attempting any enterprise more dangerous to France. Such were the perseverance and skill with which he conducted the defence, and such the fortitude as well as patience with

[11] Belcar., Commentar. de Reb. Gallic., 901.

which he animated the garrison, that though the Spaniards, the Flemings, and the English carried on the attack with all the ardour which national emulation inspires, he held out the town seventeen days. He was taken prisoner, at last, on the breach, overpowered by the superior number of the enemy.

Henry availed himself with the utmost activity of the interval which the admiral's well-timed obstinacy had afforded him. He appointed officers to collect the scattered remains of the constable's army; he issued orders for levying soldiers in every part of the kingdom; he commanded the ban and arrière-ban of the frontier provinces instantly to take the field and to join the duke of Nevers at Laon in Picardy; he recalled the greater part of the veteran troops which served under the Maréchal Brissac in Piedmont; he sent courier after courier to the duke of Guise, requiring him, together with all his army, to return instantly for the defence of their country; he despatched one envoy to the Grand Seignior, to solicit the assistance of his fleet and the loan of a sum of money; he sent another into Scotland, to incite the Scots to invade the north of England, that by drawing Mary's attention to that quarter he might prevent her from reinforcing her troops which served under Philip. These efforts of the king were warmly seconded by the zeal of his subjects. The city of Paris granted him a free gift of three hundred thousand livres. The other great towns imitated the liberality of the capital, and contributed in proportion. Several noblemen of distinction engaged at their own expense to garrison and defend the towns which lay most exposed to the enemy. Nor was the general concern for the public confined to corporate bodies alone, or to those in the higher sphere of life; but, diffusing itself among persons of every rank, each individual seemed disposed to act with as much vigour as if the honour of the king and the safety of the state had depended solely on his single efforts.[12]

Philip, who was no stranger either to the prudent measures taken by the French monarch for the security of his dominions, or to the spirit with which his subjects prepared to defend themselves, perceived, when it was too late, that he had lost an opportunity which could never be recalled, and that it was now vain to think of penetrating into the heart of France. He abandoned, therefore, without much reluctance, a scheme which was too bold and hazardous to be perfectly agreeable to his cautious temper, and employed his army, during the remainder of the campaign, in the sieges of Ham and Catelet. Of these he soon became master; and the reduction of two such petty towns, together with the acquisition of St. Quentin, were all the advantages which he derived from one of the most decisive victories gained in that century. Philip himself, however, continued in high exultation on account of his success, and, as all his passions were tinged with superstition, he, in memory of the battle of St. Quentin, which had been fought on the day consecrated to St. Laurence, vowed to build a church, a monastery, and a palace, in honour of that saint and martyr. Before the expiration of the year he laid the foundation of an edifice, in which all these were united, at the Escurial, in the neighbourhood of Madrid; and the same principle which dictated the vow directed the building. For the plan of the work was so formed as to resemble a gridiron, which, according to the legendary tale, had been the instrument of St. Laurence's martyrdom. Notwithstanding the great and expensive schemes in which his restless ambition involved him, Philip continued the building with such perseverance for twenty-two years, and reserved such large sums for this monument of his devotion and vanity, that the monarchs of Spain are indebted to

[12] Mém. de Ribier, ii. 701, 703.

him for a royal residence which, though not the most elegant, is certainly the most sumptuous and magnificent of any in Europe.[13]

The first account of that fatal blow which the French had received at St. Quentin was carried to Rome by the courier whom Henry had sent to recall the duke of Guise. As Paul, even with the assistance of his French auxiliaries, had hardly been able to check the progress of the Spanish arms, he foresaw that as soon as he was deprived of their protection his territories must be overrun in a moment. He remonstrated, therefore, with the greatest violence against the departure of the French army, reproaching the duke of Guise for his ill conduct, which had brought him into such an unhappy situation, and complaining of the king for deserting him so ungenerously under such circumstances. The duke of Guise's orders, however, were peremptory. Paul, inflexible as he was, found it necessary to accommodate his conduct to the exigency of his affairs, and to employ the mediation of the Venetians and of Cosmo de' Medici in order to obtain peace. Philip, who had been forced unwillingly to a rupture with the pope, and who, even while success crowned his arms, doubted so much the justice of his own cause that he had made frequent overtures of pacification, listened eagerly to the first proposals of this nature from Paul, and discovered such moderation in his demands as could hardly have been expected from a prince elated with victory.

The duke of Alva on the part of Philip, and the Cardinal Caraffa in the name of his uncle, met at Cavi, and, both being equally disposed to peace, they, after a short conference, terminated the war by a treaty on the following terms: That Paul should renounce his league with France, and maintain for the future such a neutrality as became the common father of Christendom; that Philip should instantly restore all the towns of the ecclesiastical territory of which he had taken possession; that the claims of the Caraffas to the duchy of Paliano and other demesnes of the Colonnas should be referred to the decision of the republic of Venice; that the duke of Alva should repair in person to Rome, and, after asking pardon of Paul in his own name and in that of his master for having invaded the patrimony of the Church, should receive the pope's absolution from that crime. Thus Paul, through Philip's scrupulous timidity, finished an unprosperous war without any detriment to the papal see. The conqueror appeared humble, and acknowledged his error; while he who had been vanquished retained his usual haughtiness and was treated with every mark of superiority.[14] The duke of Alva, in terms of the treaty, repaired to Rome, and, in the posture of a supplicant, kissed the feet and implored the forgiveness of that very person whom his arms had reduced to the last extremity. Such was the superstitious veneration of the Spaniards for the papal character that Alva, though perhaps the proudest man of the age, and accustomed from his infancy to a familiar intercourse with princes, acknowledged that when he approached the pope he was so much overawed that his voice failed and his presence of mind forsook him.[15]

But though this war, which at its commencement threatened mighty revolutions, was brought to an end without occasioning any alteration in those states which were its immediate object, it had produced during its progress effects of considerable consequence in other parts of Italy. As Philip was extremely solicitous to terminate his quarrel with Paul as speedily as possible, he was willing to make any sacrifice in order to gain those princes who, by joining their troops to the papal and French army, might have prolonged the

[13] Colménar, Annales d'Espagne, tom. ii. p. 136.
[14] Pallav., lib. xiii. 183.—F. Paul, 380.—Herrera, vol. i. 310.
[15] Pallav., lib xiii. 185.—Summonte, Istoria di Napoli, iv. 286.

war. With this view, he entered into a negotiation with Octavio Farnese, duke of Parma, and, in order to seduce him from his alliance with France, he restored to him the city of Placentia, with the territory depending on it, which Charles V. had seized in the year 1547, had kept from that time in his possession, and had transmitted, together with his other dominions, to Philip.

This step made such a discovery of Philip's character and views to Cosmo de' Medici, the most sagacious as well as provident of all the Italian princes, that he conceived hopes of accomplishing his favourite scheme of adding Siena and its territories to his dominions in Tuscany. As his success in this attempt depended entirely on the delicacy of address with which it should be conducted, he employed all the refinements of policy in the negotiation which he set on foot for this purpose. He began with soliciting Philip, whose treasury he knew to be entirely drained by the expense of the war, to repay the great sums which he had advanced to the emperor during the siege of Siena. When Philip endeavoured to elude a demand which he was unable to satisfy, Cosmo affected to be extremely disquieted, and, making no secret of his disgust, instructed his ambassador at Rome to open a negotiation with the pope, which seemed to be the effect of it. The ambassador executed his commission with such dexterity that Paul, imagining Cosmo to be entirely alienated from the Spanish interest, proposed to him an alliance with France, which should be cemented by the marriage of his eldest son to one of Henry's daughters. Cosmo received the overture with such apparent satisfaction, and with so many professions of gratitude for the high honour of which he had the prospect, that not only the pope's ministers, but the French envoy at Rome, talked confidently and with little reserve of the accession of that important ally, as a matter certain and decided. The account of this was quickly carried to Philip; and Cosmo, who foresaw how much it would alarm him, had despatched his nephew, Ludovico di Toledo, into the Netherlands, that he might be at hand to observe and take advantage of his consternation before the first impression which it made should in any degree abate. Cosmo was extremely fortunate in the choice of the instrument whom he employed. Toledo waited with patience until he discovered with certainty that Philip had received such intelligence of his uncle's negotiations at Rome as must have filled his suspicious mind with fear and jealousy; and then, craving an audience, he required payment of the money which had been borrowed by the emperor, in the most earnest and peremptory terms. In urging that point, he artfully threw out several dark hints and ambiguous declarations concerning the extremities to which Cosmo might be driven by a refusal of this just demand, as well as by other grievances of which he had good reason to complain.

Philip, astonished at an address in such a strain from a prince so far his inferior as the duke of Tuscany, and comparing what he now heard with the information which he had received from Italy, immediately concluded that Cosmo had ventured to assume this bold and unusual tone on the prospect of his union with France. In order to prevent the pope and Henry from acquiring an ally who by his abilities, as well as the situation of his dominions, would have added both reputation and strength to their confederacy, he offered to grant Cosmo the investiture of Siena if he would consent to accept of it as an equivalent for the sums due to him and engage to furnish a body of troops towards the defence of Philip's territories in Italy against any power who should attack them. As soon as Cosmo had brought Philip to make this concession, which was the object of all his artifices and intrigues, he did not protract the negotiation by an unnecessary delay or any excess of refinement,

but closed eagerly with the proposal; and Philip, in spite of the remonstrances of his ablest counsellors, signed a treaty with him to that effect.[16]

As no prince was ever more tenacious of his rights than Philip, or less willing to relinquish any territory which he possessed, by what tenure soever he held it, these unusual concessions to the dukes of Parma and Tuscany, by which he wantonly gave up countries in acquiring or defending which his father had employed many years and wasted much blood and treasure, cannot be accounted for from any motive but his superstitious desire of extricating himself out of the war which he had been forced to wage against the pope. By these treaties, however, the balance of power among the Italian states was poised with greater equality, and rendered less variable than it had been since it received the first violent shock from the invasion of Charles VIII. of France. From this period Italy ceased to be the great theatre on which the monarchs of Spain, France, and Germany contended for power or for fame. Their dissensions and hostilities, though as frequent and violent as ever, being excited by new objects, stained other regions of Europe with blood, and rendered them miserable, in their turn, by the devastations of war.

The duke of Guise left Rome on the same day that his adversary the duke of Alva made his humiliating submission to the pope. He was received in France as the guardian angel of the kingdom. His late ill success in Italy seemed to be forgotten, while his former services, particularly his defence of Metz, were recounted with exaggerated praise; and he was welcomed in every city through which he passed, as the restorer of public security, who, after having set bounds by his conduct and valour to the victorious arms of Charles V., returned now, at the call of his country, to check the formidable progress of Philip's power. The reception which he met with from Henry was no less cordial and honourable. New titles were invented, and new dignities created, in order to distinguish him. He was appointed lieutenant-general in chief, both within and without the kingdom, with a jurisdiction almost unlimited, and hardly inferior to that which was possessed by the king himself. Thus, through the singular felicity which attended the princes of Lorraine, the miscarriage of their own schemes contributed to aggrandize them. The calamities of his country, and the ill conduct of his rival the constable, exalted the duke of Guise to a height of dignity and power which he could not have expected to attain by the most fortunate and most complete success of his own ambitious projects.

The duke of Guise, eager to perform something suitable to the high expectations of his countrymen, and that he might justify the extraordinary confidence which the king had reposed in him, ordered all the troops which could be got together to assemble at Compiègne. Though the winter was well advanced and had set in with extreme severity, he placed himself at their head and took the field. By Henry's activity and the zeal of his subjects so many soldiers had been raised in the kingdom, and such considerable reinforcements had been drawn from Germany and Switzerland, as formed an army respectable even in the eyes of a victorious enemy. Philip, alarmed at seeing it put in motion at such an uncommon season, began to tremble for his new conquests, particularly St. Quentin, the fortifications of which were hitherto but imperfectly repaired.

But the duke of Guise meditated a more important enterprise; and, after amusing the enemy with threatening successively different towns on the frontiers of Flanders, he turned suddenly to the left and invested Calais with his whole army. Calais had been taken by the English under Edward III.,

[16] Thuan., lib. xviii. 624.—Herrera, i. 263, 275.—Pallav, lib. xiii. 180.

and was the fruit of that monarch's glorious victory at Crecy. Being the only place that they retained of their ancient and extensive territories in France, and which opened to them at all times an easy and secure passage into the heart of that kingdom, their keeping possession of it soothed the pride of the one nation as much as it mortified the vanity of the other. Its situation was naturally so strong, and its fortifications deemed so impregnable, that no monarch of France, how adventurous soever, had been bold enough to attack it. Even when the domestic strength of England was broken and exhausted by the bloody wars between the houses of York and Lancaster, and its attention entirely diverted from foreign objects, Calais had remained undisturbed and unthreatened. Mary and her council, composed chiefly of ecclesiastics, unacquainted with military affairs, and whose whole attention was turned towards extirpating heresy out of the kingdom, had not only neglected to take any precautions for the safety of this important place, but seemed to think that the reputation of its strength was alone sufficient for its security. Full of this opinion, they ventured, even after the declaration of war, to continue a practice which the low state of the queen's finances had introduced in times of peace. As the country adjacent to Calais was overflowed during the winter, and the marshes around it became impassable, except by one avenue, which the forts of St. Agatha and Newnham Bridge commanded, it had been the custom of the English to dismiss the greater part of the garrison towards the end of autumn, and to replace it in the spring. In vain did Lord Wentworth, the governor of Calais, remonstrate against this ill-timed parsimony, and represent the possibility of his being attacked suddenly while he had not troops sufficient to man the works. The privy council treated these remonstrances with scorn, as if they had flowed from the timidity or the rapaciousness of the governor, and some of them, with that confidence which is the companion of ignorance, boasted that they would defend Calais with their white rods against any enemy who should approach it during winter.[17] In vain did Philip, who had passed through Calais as he returned from England to the Netherlands, warn the queen of the danger to which it was exposed; and, acquainting her with what was necessary for its security, in vain did he offer to reinforce the garrison during winter with a detachment of his own troops. Mary's counsellors, though obsequious to her in all points wherein religion was concerned, distrusted as much as the rest of their countrymen every proposition that came from her husband; and, suspecting this to be an artifice of Philip's in order to gain the command of the town, they neglected his intelligence, declined his offer, and left Calais with less than a fourth part of the garrison requisite for its defence.

His knowledge of this encouraged the duke of Guise to venture on an enterprise that surprised his own countrymen no less than his enemies. As he knew that its success depended on conducting his operations with such rapidity as would afford the English no time for throwing relief into the town by sea, and prevent Philip from giving him any interruption by land, he pushed the attack with a degree of vigour little known in carrying on sieges during that age. He drove the English from Fort St. Agatha at the first assault. He obliged them to abandon the fort of Newnham Bridge after defending it only three days. He took the castle which commanded the harbour by storm, and, on the eighth day after he appeared before Calais, compelled the governor to surrender, as his feeble garrison, which did not exceed five hundred men, was worn out with the fatigue of sustaining so many attacks and defending such extensive works.

[17] Carte, iii. 345.

The duke of Guise, without allowing the English time to recover from the consternation occasioned by this blow, immediately invested Guisnes, the garrison of which, though more numerous, defended itself with less vigour, and, after standing one brisk assault, gave up the town. The castle of Hames was abandoned by the troops posted there, without waiting the approach of the enemy.

Thus, in a few days, during the depth of winter, and at a time when the fatal battle of St. Quentin had so depressed the sanguine spirit of the French that their utmost aim was to protect their own country, without dreaming of making conquests on the enemy, the enterprising valour of one man drove the English out of Calais, after they had held it two hundred and ten years, and deprived them of every foot of land in the kingdom where their dominions had been once very extensive. This exploit, at the same time that it gave a high idea of the power and resources of France to all Europe, set the duke of Guise, in the opinion of his countrymen, far above all the generals of the age. They celebrated his conquests with immoderate transports of joy; while the English gave vent to all the passions which animate a high-spirited people when any great national calamity is manifestly owing to the ill conduct of their rulers. Mary and her ministers, formerly odious, were now contemptible in their eyes. All the terrors of her severe and arbitrary administration could not restrain them from uttering execrations and threats against those who, having wantonly involved the nation in a quarrel wherein it was nowise interested, had by their negligence or incapacity brought irreparable disgrace on their country and lost the most valuable possession belonging to the English crown.

The king of France imitated the conduct of its former conqueror, Edward III., with regard to Calais. He commanded all the English inhabitants to quit the town, and, giving their houses to his own subjects, whom he allured to settle there by granting them various immunities, he left a numerous garrison, under an experienced governor, for their defence. After this his victorious army was conducted into quarters of refreshment, and the usual inaction of winter returned.

During these various operations, Ferdinand assembled the college of electors at Frankfort, in order to lay before them the instrument whereby Charles V. had resigned the imperial crown and transferred it to him. This he had hitherto delayed on account of some difficulties which had occurred concerning the formalities requisite in supplying a vacancy occasioned by an event to which there is no parallel in the annals of the empire. These being at length adjusted, the prince of Orange executed the commission with which he had been intrusted by Charles: the electors accepted of his resignation, declared Ferdinand his lawful successor, and put him in possession of all the ensigns of the imperial dignity.

But when the new emperor sent Gusman, his chancellor, to acquaint the pope with this transaction, to testify his reverence towards the holy see, and to signify that, according to form, he would soon despatch an ambassador extraordinary to treat with his holiness concerning his coronation, Paul, whom neither experience nor disappointments could teach to bring down his lofty ideas of the papal prerogative to such a moderate standard as suited the genius of the times, refused to admit the envoy into his presence, and declared all the proceedings at Frankfort irregular and invalid. He contended that the pope, as the vicegerent of Christ, was intrusted with the keys both of spiritual and of civil government; that from him the imperial jurisdiction was derived; that though his predecessors had authorized the electors to choose an emperor

whom the holy see confirmed, this privilege was confined to those cases when a vacancy was occasioned by death; that the instrument of Charles's resignation had been presented in an improper court, as it belonged to the pope alone to reject or to accept of it and to nominate a person to fill the imperial throne; that, setting aside all these objections, Ferdinand's election laboured under two defects, which alone were sufficient to render it void, for the Protestant electors had been admitted to vote, though by their apostasy from the Catholic faith they had forfeited that and every other privilege of the electoral office, and Ferdinand, by ratifying the concessions of several diets in favour of heretics, had rendered himself unworthy of the imperial dignity, which was instituted for the protection, not for the destruction, of the Church. But, after thundering out these extravagant maxims, he added, with an appearance of condescension, that if Ferdinand would renounce all title to the imperial crown founded on the election at Frankfort, make professions of repentance for his past conduct, and supplicate him, with due humility, to confirm Charles's resignation, as well as his own assumption to the empire, he might expect every mark of favour from his paternal clemency and goodness. Gusman, though he had foreseen considerable difficulties in his negotiation with the pope, little expected that he would have revived those antiquated and wild pretensions, which astonished him so much that he hardly knew in what tone he ought to reply. He prudently declined entering into any controversy concerning the nature or extent of the papal jurisdiction, and, confining himself to the political considerations which should determine the pope to recognize an emperor already in possession, he endeavoured to place them in such a light as he imagined could scarcely fail to strike Paul, if he were not altogether blind to his own interest. Philip seconded Gusman's arguments with great earnestness, by an ambassador whom he sent to Rome on purpose, and besought the pope to desist from claims so unseasonable as might not only irritate and alarm Ferdinand and the princes of the empire, but furnish the enemies of the holy see with a new reason for representing its jurisdiction as incompatible with the rights of princes and subversive of all civil authority. But Paul, who deemed it a crime to attend to any considerations suggested by human prudence or policy when he thought himself called upon to assert the prerogatives of the papal see, remained inflexible; and during his pontificate Ferdinand was not acknowledged as emperor by the court of Rome.[18]

While Henry was intent upon his preparations for the approaching campaign, he received accounts of the issue of his negotiations in Scotland. Long experience having at last taught the Scots the imprudence of involving their country in every quarrel between France and England, neither the solicitations of the French ambassador nor the address and authority of the queen regent could prevail on them to take arms against a kingdom with which they were at peace. On this occasion the ardour of a martial nobility and of a turbulent people was restrained by regard for the public interest and tranquillity, which in former deliberations of this kind had been seldom attended to by a nation always prone to rush into every new war. But, though the Scots adhered with steadiness to their pacific system, they were extremely ready to gratify the French king in another particular, which he had given in charge to his ambassador.

The young queen of Scots had been affianced to the dauphin in the year 1548, and, having been educated since that time in the court of France, she had grown up to be the most amiable and one of the most accomplished prin-

[18] Godleveus de Abdicat. Car. V., ap. Gold., Polit. Imper., 392.—Pallav., lib. xiii. 189.—Mém. de Ribier, ii. 746, 759.

cesses of that age. Henry demanded the consent of her subjects to the celebration of the marriage; and a parliament which was held for that purpose appointed eight commissioners to represent the whole body of the nation at that solemnity, with power to sign such deeds as might be requisite before it was concluded. In settling the articles of the marriage, the Scots took every precaution that prudence could dictate in order to preserve the liberty and independence of their country; while the French used every art to secure to the dauphin the conduct of affairs during the queen's life, and the succession of the crown on the event of her demise. The marriage was celebrated with pomp suitable to the dignity of the parties and the magnificence of a court at that time the most splendid in Europe.[19] Thus Henry, in the course of a few months, had the glory of recovering an important possession which had anciently belonged to the crown of France, and of adding to it the acquisition of a new kingdom. By this event, too, the duke of Guise acquired new consideration and importance; the marriage of his niece to the apparent heir of the crown raising him so far above the condition of other subjects that the credit which he had gained by his great actions seemed thereby to be rendered no less permanent than it was extensive.

When the campaign opened, soon after the dauphin's marriage, the duke of Guise was placed at the head of the army, with the same unlimited powers as formerly. Henry had received such liberal supplies from his subjects that the troops under his command were both numerous and well appointed; while Philip, exhausted by the extraordinary efforts of the preceding year, had been obliged to dismiss so many of his forces during the winter that he could not bring an army into the field capable of making head against the enemy. The duke of Guise did not lose the favourable opportunity which his superiority afforded him. He invested Thionville in the duchy of Luxembourg, one of the strongest towns on the frontiers of the Netherlands, and of great importance to France by its neighbourhood to Metz; and, notwithstanding the obstinate valour with which it was defended, he forced it to capitulate after a siege of three weeks.[20]

But the success of this enterprise, which it was expected would lead to other conquests, was more than counterbalanced by an event which happened in another part of the Low Countries. The Maréchal de Termes, governor of Calais, having penetrated into Flanders without opposition, invested Dunkirk with an army of fourteen thousand men, and took it by storm on the fifth day of the siege. Hence he advanced towards Nieuport, which must have soon fallen into his hands if the approach of the count of Egmont with a superior army had not made it prudent to retreat. The French troops were so much encumbered with the booty which they had got at Dunkirk or by ravaging the open country that they moved slowly; and Egmont, who had left his heavy baggage and artillery behind him, marched with such rapidity that he came up with them near Gravelines and attacked them with the utmost impetuosity. De Termes, who had the choice of the ground, having posted his troops to advantage in the angle formed by the mouth of the river Aa and the sea, received him with great firmness. Victory remained for some time in suspense, the desperate valour of the French, who foresaw the unavoidable destruction that must follow upon a rout in an enemy's country, counterbalancing the superior number of the Flemings, when one of those accidents to which human prudence does not extend decided the contest in favour of the latter. A squadron of English ships of war, which was cruising on the coast,

[19] Keith's History of Scotland, p. 73, Append. 13.—Corps Diplom., v. 21.

[20] Thuan., lib. xx. 690.

being drawn by the noise of the firing towards the place of the engagement, entered the river Aa, and turned its great guns against the right wing of the French with such effect as immediately broke that body and spread terror and confusion through the whole army. The Flemings, to whom assistance so unexpected and so seasonable gave fresh spirit, redoubled their efforts, that they might not lose the advantage which fortune had presented them, or give the enemy time to recover from their consternation, and the rout of the French soon became universal. Near two thousand were killed on the spot; a greater number fell by the hands of the peasants, who, in revenge for the cruelty with which their country had been plundered, pursued the fugitives and massacred them without mercy; the rest were taken prisoners, together with De Termes, their general, and many officers of distinction.[21]

This signal victory, for which the count of Egmont was afterwards so ill requited by Philip, obliged the duke of Guise to relinquish all other schemes, and to hasten towards the frontiers of Picardy, that he might oppose the progress of the enemy in that province. This disaster, however, reflected new lustre on his reputation, and once more turned the eyes of his countrymen towards him, as the only general on whose arms victory always attended, and in whose conduct, as well as good fortune, they could confide in every danger. Henry reinforced the duke of Guise's army with so many troops drawn from the adjacent garrisons that it soon amounted to forty thousand men. That of the enemy, after the junction of Egmont with the duke of Savoy, was not inferior in number. They encamped at the distance of a few leagues from one another; and, each monarch having joined his respective army, it was expected, after the vicissitudes of good and bad success during this and the former campaign, that a decisive battle would at last determine which of the rivals should take the ascendant for the future and give law to Europe. But, though both had it in their power, neither of them discovered any inclination to bring the determination of such an important point to depend upon the uncertain issue of a single battle. The fatal engagements at St. Quentin and Gravelines were too recent to be so soon forgotten; and the prospect of encountering the same troops commanded by the same generals who had twice triumphed over his arms inspired Henry with a degree of caution which was not common to him. Philip, of a genius averse to bold operations in war, naturally leaned to cautious measures, and was not disposed to hazard anything against a general so fortunate and successful as the duke of Guise. Both monarchs, as if by agreement, stood on the defensive, and, fortifying their camps carefully, avoided every skirmish or rencounter that might bring on a general engagement.

While the armies continued in this inaction, peace began to be mentioned in each camp, and both Henry and Philip discovered an inclination to listen to any overture that tended to re-establish it. The kingdoms of France and Spain had been engaged during half a century in almost continual wars, carried on at a great expense and productive of no considerable advantage to either. Exhausted by extraordinary and unceasing efforts, which far exceeded those to which the nations of Europe had been accustomed before the rivalship between Charles V. and Francis I., both nations longed so much for an interval of repose, in order to recruit their strength, that their sovereigns drew from them with difficulty the supplies necessary for carrying on hostilities. The private inclinations of both the kings concurred with those of their people. Philip was prompted to wish for peace by his fond desire of returning to Spain. Accustomed from his infancy to the climate and manners of that country, he

[21] Thuan., lib. xx. 694.

was attached to it with such extreme predilection that he never felt himself at ease in any other part of his dominions. But, as he could not quit the Low Countries, either with decency or safety, and venture on a voyage to Spain, during the continuance of war, the prospect of a pacification, which would put it in his power to execute his favourite scheme, was highly acceptable. Henry was no less desirous of being delivered from the burden and occupations of war, that he might have leisure to turn his attention and bend the whole force of his government towards suppressing the opinions of the Reformers, which were spreading with such rapidity in Paris and other great towns of France that they began to grow formidable to the established Church.

Besides these public and avowed considerations, arising from the state of the two hostile kingdoms or from the wishes of their respective monarchs, there was a secret intrigue carried on in the court of France, which contributed as much as either of the other to hasten and to facilitate the negotiation of a peace. The Constable Montmorency, during his captivity, beheld the rapid success and growing favour of the duke of Guise with the envy natural to a rival. Every advantage gained by the princes of Lorraine he considered as a fresh wound to his own reputation, and he knew with what malevolent address it would be improved to diminish his credit with the king and to augment that of the duke of Guise. These arts he was afraid might by degrees work on the easy and ductile mind of Henry, so as to efface all remains of his ancient affection towards himself. But he could not discover any remedy for this, unless he were allowed to return home, that he might try whether by his presence he could defeat the artifices of his enemies and revive those warm and tender sentiments which had long attached Henry to him with a confidence so entire as resembled rather the cordiality of private friendship than the cold and selfish connection between a monarch and one of his courtiers. While Montmorency was forming schemes and wishes for his return to France, with much anxiety of mind but with little hope of success, an unexpected incident prepared the way for it. The cardinal of Lorraine, who had shared with his brother in the king's favour and participated of the power which that conferred, did not bear prosperity with the same discretion as the duke of Guise. Intoxicated with their good fortune, he forgot how much they had been indebted for their present elevation to their connections with the duchess of Valentinois, and vainly ascribed all to the extraordinary merit of their family. This led him not only to neglect his benefactress, but to thwart her schemes and to talk with a sarcastic liberty of her character and person. That singular woman, who, if we may believe contemporary writers, retained the beauty and charms of youth at the age of threescore, and on whom it is certain that Henry still doted with all the fondness of love, felt this injury with sensibility, and set herself with eagerness to inflict the vengeance which it merited. As there was no method of supplanting the princes of Lorraine so effectually as by a coalition of interests with the constable, she proposed the marriage of her grand-daughter with one of his sons, as the bond of their future union; and Montmorency readily gave his consent to the match. Having thus cemented their alliance, the duchess employed all her influence with the king in order to confirm his inclinations towards peace and to induce him to take the steps necessary for attaining it. She insinuated that any overture of that kind would come with great propriety from the constable, and, if intrusted to the conduct of his prudence, could hardly fail of success.

Henry, long accustomed to commit all affairs of importance to the management of the constable, and needing only this encouragement to return to his ancient habits, wrote to him immediately with his usual familiarity and

affection, empowering him, at the same time, to take the first opportunity of sounding Philip and his ministers with regard to peace. Montmorency made his application to Philip by the most proper channel. He opened himself to the duke of Savoy, who, notwithstanding the high command to which he had been raised, and the military glory which he had acquired in the Spanish service, was weary of remaining in exile, and languished to return into his paternal dominions. As there was no prospect of his recovering possession of them by force of arms, he considered a definitive treaty of peace between France and Spain as the only event by which he could hope to obtain restitution. Being no stranger to Philip's private wishes with regard to peace, he easily prevailed on him not only to discover a disposition on his part towards accommodation, but to permit Montmorency to return, on his parole, to France, that he might confirm his own sovereign in his pacific sentiments. Henry received the constable with the most flattering marks of regard: absence, instead of having abated or extinguished the monarch's friendship, seemed to have given it new ardour. Montmorency, from the moment of his appearance in court, assumed, if possible, a higher place than ever in his affection and a more perfect ascendant over his mind. The cardinal of Lorraine and the duke of Guise prudently gave way to a tide of favour too strong for them to oppose, and, confining themselves to their proper departments, permitted, without any struggle, the constable and duchess of Valentinois to direct public affairs at their pleasure. They soon prevailed on the king to nominate plenipotentiaries to treat of peace. Philip did the same. The abbey of Cercamp was fixed on as the place of congress; and all military operations were immediately terminated by a suspension of arms.

While these preliminary steps were taking towards a treaty which restored tranquillity to Europe, Charles V., whose ambition had so long disturbed it, ended his days in the monastery of St. Justus. When Charles entered this retreat, he formed such a plan of life for himself as would have suited the condition of a private gentleman of a moderate fortune. His table was neat but plain; his domestics few; his intercourse with them familiar; all the cumbersome and ceremonious forms of attendance on his person were entirely abolished, as destructive of that social ease and tranquillity which he courted in order to soothe the remainder of his days. As the mildness of the climate, together with his deliverance from the burdens and cares of government, procured him, at first, a considerable remission from the acute pains with which he had been long tormented, he enjoyed, perhaps, more complete satisfaction in this humble solitude than all his grandeur had ever yielded him. The ambitious thoughts and projects which had so long engrossed and disquieted him were quite effaced from his mind; far from taking any part in the political transactions of the princes of Europe, he restrained his curiosity even from any inquiry concerning them; and he seemed to view the busy scene which he had abandoned with all the contempt and indifference arising from his thorough experience of its vanity, as well as from the pleasing reflection of having disentangled himself from its cares.

Other amusements and other objects now occupied him. Sometimes he cultivated the plants in his garden with his own hands; sometimes he rode out to the neighbouring wood on a little horse, the only one that he kept, attended by a single servant on foot. When his infirmities confined him to his apartment, which often happened, and deprived him of these more active recreations, he either admitted a few gentlemen who resided near the monastery to visit him, and entertained them familiarly at his table, or he employed himself in studying mechanical principles, and in forming curious works of

mechanism, of which he had always been remarkably fond, and to which his genius was peculiarly turned. With this view he had engaged Turriano, one of the most ingenious artists of that age, to accompany him in his retreat. He laboured together with him in framing models of the most useful machines, as well as in making experiments with regard to their respective powers; and it was not seldom that the ideas of the monarch assisted or perfected the inventions of the artist. He relieved his mind, at intervals, with slighter and more fantastic works of mechanism, in fashioning puppets which, by the structure of internal springs, mimicked the gestures and actions of men, to the astonishment of the ignorant monks, who, beholding movements which they could not comprehend, sometimes distrusted their own senses, and sometimes suspected Charles and Turriano of being in compact with invisible powers. He was particularly curious with regard to the construction of clocks and watches; and having found, after repeated trials, that he could not bring any two of them to go exactly alike, he reflected, it is said, with a mixture of surprise as well as regret on his own folly in having bestowed so much time and labour on the more vain attempt of bringing mankind to a precise uniformity of sentiment concerning the profound and mysterious doctrines of religion.

But, in what manner soever Charles disposed of the rest of his time, he constantly reserved a considerable portion of it for religious exercises. He regularly attended divine service in the chapel of the monastery, every morning and evening; he took great pleasure in reading books of devotion, particularly the works of St. Augustine and St. Bernard, and conversed much with his confessor and the prior of the monastery on pious subjects. Thus did Charles pass the first year of his retreat, in a manner not unbecoming a man perfectly disengaged from the affairs of the present life and standing on the confines of a future world; either in innocent amusements, which soothed his pains and relieved a mind worn out with excessive application to business, or in devout occupations, which he deemed necessary in preparing for another state.

But about six months before his death, the gout, after a longer intermission than usual, returned, with a proportional increase of violence. His shattered constitution had not vigour enough remaining to withstand such a shock. It enfeebled his mind as much as his body, and from this period we hardly discern any traces of that sound and masculine understanding which distinguished Charles among his contemporaries. An illiberal and timid superstition depressed his spirit. He had no relish for amusements of any kind. He endeavoured to conform, in his manner of living, to all the rigour of monastic austerity. He desired no other society than that of monks, and was almost continually employed with them in chanting the hymns of the missal. As an expiation for his sins, he gave himself the discipline in secret with such severity that the whip of cords which he employed as the instrument of his punishment was found, after his decease, tinged with his blood. Nor was he satisfied with these acts of mortification, which, however severe, were not unexampled. The timorous and distrustful solicitude which always accompanies superstition still continued to disquiet him, and, depreciating all the devout exercises in which he had hitherto been engaged, prompted him to aim at something extraordinary, at some new and singular act of piety, that would display his zeal and merit the favour of Heaven. The act on which he fixed was as wild and uncommon as any that superstition ever suggested to a weak and disordered fancy. He resolved to celebrate his own obsequies before his death. He ordered his tomb to be erected in the chapel of the monastery.

His domestics marched thither in funeral procession, with black tapers in their hands. He himself followed in his shroud. He was laid in his coffin, with much solemnity. The service for the dead was chanted, and Charles joined in the prayers which were offered up for the rest of his soul, mingling his tears with those which his attendants shed, as if they had been celebrating a real funeral. The ceremony closed with sprinkling holy water on the coffin in the usual form, and, all the assistants retiring, the doors of the chapel were shut. Then Charles rose out of the coffin, and withdrew to his apartment, full of those awful sentiments which such a singular solemnity was calculated to inspire. But either the fatiguing length of the ceremony, or the impression which the image of death left on his mind, affected him so much that next day he was seized with a fever. His feeble frame could not long resist its violence, and he expired on the twenty-first of September, after a life of fifty-eight years, six months, and twenty-five days.[22]

As Charles was the first prince of the age in rank and dignity, the part which he acted, whether we consider the greatness, the variety, or the success of his undertakings, was the most conspicuous. It is from an attentive observation of his conduct, not from the exaggerated praises of the Spanish historians, or the undistinguishing censure of the French, that a just idea of Charles's genius and abilities is to be collected. He possessed qualities so peculiar that they strongly mark his character, and not only distinguish him from the princes who were his contemporaries, but account for that superiority over them which he so long maintained. In forming his schemes, he was by nature, as well as by habit, cautious and considerate. Born with talents which unfolded themselves slowly and were late in attaining maturity, he was accustomed to ponder every subject that demanded his consideration with a careful and deliberate attention. He bent the whole force of his mind towards it, and, dwelling upon it with a serious application, undiverted by pleasure, and hardly relaxed by any amusement, he revolved it, in silence, in his own breast. He then communicated the matter to his ministers, and, after hearing their opinions, took his resolution with a decisive firmness, which seldom follows such slow and seemingly hesitating consultations. Of consequence, Charles's measures, instead of resembling the desultory and irregular sallies of Henry VIII. or Francis I., had the appearance of a consistent system, in which all the parts were arranged, all the effects were foreseen, and even every accident was provided for. His promptitude in execution was no less remarkable than his patience in deliberation. He did not discover greater sagacity in his choice of the measures which it was proper to pursue, than fertility of genius in finding out the means for rendering his pursuit of them successful. Though he had naturally so little of the martial turn that during the most ardent and bustling period of life he remained in the cabinet inactive, yet, when he chose at length to appear at the head of his armies, his mind was so formed for vigorous exertions in every direction that he acquired such knowledge in the art of war, and such talents for command, as rendered him equal in reputation and success to the most able generals of the age. But Charles possessed in the most eminent degree the science which is of greatest importance to a monarch, that of knowing men and of adapting their talents to the various departments which he allotted to them. From the death of Chièvres to the end of his reign, he employed no general in the field, no minister in the cabinet, no ambassador to a foreign court, no governor of a province, whose abilities were inadequate to the trust which he reposed in them. Though destitute of

[22] Strada de Bello Belg., lib. i. p. 11.—Thuan., 723.—Sandoval, ii. 609, etc.—Miniana, Contin. Marianæ, vol. iv. 216.—Vera y Zuñiga, Vida de Carlos, p. 111.

that bewitching affability of manners which gained Francis the hearts of all who approached his person, he was no stranger to the virtues which secure fidelity and attachment. He placed unbounded confidence in his generals; he rewarded their services with munificence; he neither envied their fame nor discovered any jealousy of their power. Almost all the generals who conducted his armies may be placed on a level with those illustrious personages who have attained the highest eminence of military glory; and his advantages over his rivals are to be ascribed so manifestly to the superior abilities of the commanders whom he set in opposition to them, that this might seem to detract in some degree from his own merit, if the talent of discovering, and steadiness in employing, such instruments were not the most undoubted proofs of a capacity for government.

There were, nevertheless, defects in his political character which must considerably abate the admiration due to his extraordinary talents. Charles's ambition was insatiable; and, though there seems to be no foundation for an opinion prevalent in his own age, that he had formed the chimerical project of establishing an universal monarchy in Europe, it is certain that his desire of being distinguished as a conqueror involved him in continual wars, which not only exhausted and oppressed his subjects, but left him little leisure for giving attention to the interior police and improvement of his kingdoms, the great objects of every prince who makes the happiness of his people the end of his government. Charles at a very early period of life having added the imperial crown to the kingdoms of Spain and to the hereditary dominions of the houses of Austria and Burgundy, this opened to him such a vast field of enterprise, and engaged him in schemes so complicated as well as arduous, that, feeling his power to be unequal to the execution of them, he had often recourse to low artifices, unbecoming his superior talents, and sometimes ventured on such deviations from integrity as were dishonourable in a great prince. His insidious and fraudulent policy appeared more conspicuous, and was rendered more odious, by a comparison with the open and undesigning character of his contemporaries, Francis I. and Henry VIII. This difference, though occasioned chiefly by the diversity of their tempers, must be ascribed in some degree to such an opposition in the principles of their political conduct as affords some excuse for this defect in Charles's behaviour, though it cannot serve as a justification of it. Francis and Henry seldom acted but from the impulse of their passions, and rushed headlong towards the object in view. Charles's measures, being the result of cool reflection, were disposed into a regular system and carried on upon a concerted plan. Persons who act in the former manner naturally pursue the end in view without assuming any disguise or displaying much address. Such as hold the latter course are apt, in forming as well as in executing their designs, to employ such refinements as always lead to artifice in conduct, and often degenerate into deceit.

The circumstances transmitted to us with respect to Charles's private deportment and character are fewer and less interesting than might have been expected from the great number of authors who have undertaken to write an account of his life. These are not the object of this history, which aims more at representing the great transactions of the reign of Charles V., and pointing out the manner in which they affected the political state of Europe, than at delineating his private virtues or defects.

The plenipotentiaries of France, Spain, and England continued their conferences at Cercamp; and though each of them, with the usual art of negotiators, made at first very high demands in the name of their respective courts, yet, as they were all equally desirous of peace, they would have consented

reciprocally to such abatements and restrictions of their claims as must have removed every obstacle to an accommodation. The death of Charles V. was a new motive with Philip to hasten the conclusion of a treaty, as it increased his impatience for returning into Spain, where there was now no person greater or more illustrious than himself. But, in spite of the concurring wishes of all the parties interested, an event happened which occasioned an unavoidable delay in their negotiations. About a month after the opening of the conferences at Cercamp, Mary of England ended her short and inglorious reign, and Elizabeth, her sister, was immediately proclaimed queen with universal joy. As the powers of the English plenipotentiaries expired on the death of their mistress, they could not proceed until they received a commission and instructions from their new sovereign.

Henry and Philip beheld Elizabeth's elevation to the throne with equal solicitude. As during Mary's jealous administration, under the most difficult circumstances, and in a situation extremely delicate, that princess had conducted herself with prudence and address far exceeding her years, they had conceived a high idea of her abilities, and already formed expectations of a reign very different from that of her sister. Equally sensible of the importance of gaining her favour, both monarchs set themselves with emulation to court it, and employed every art in order to insinuate themselves into her confidence. Each of them had something meritorious, with regard to Elizabeth, to plead in his own behalf. Henry had offered her a retreat in his dominions if the dread of her sister's violence should force her to fly for safety out of England. Philip, by his powerful intercession, had prevented Mary from proceeding to the most fatal extremities against her sister. Each of them endeavoured now to avail himself of the circumstances in his favour. Henry wrote to Elizabeth soon after her accession, with the warmest expressions of regard and friendship. He represented the war which had unhappily been kindled between their kingdoms, not as a national quarrel, but as the effect of Mary's blind partiality to her husband and fond compliance with all his wishes. He entreated her to disengage herself from an alliance which had proved so unfortunate to England, and to consent to a separate peace with him, without mingling her interests with those of Spain, from which they ought now to be altogether disjoined. Philip, on the other hand, unwilling to lose his connection with England, the importance of which, during a rupture with France, he had so recently experienced, not only vied with Henry in declarations of esteem for Elizabeth, and in professions of his resolution to cultivate the strictest amity with her, but, in order to confirm and perpetuate their union, he offered himself to her in marriage, and undertook to procure a dispensation from the pope for that purpose.

Elizabeth weighed the proposals of the two monarchs attentively, and with that provident discernment of her true interest which was conspicuous in all her deliberations. She gave some encouragement to Henry's overture of a separate negotiation, because it opened a channel of correspondence with France, which she might find to be of great advantage if Philip should not discover sufficient zeal and solicitude for securing to her proper terms in the joint treaty. But she ventured on this step with the most cautious reserve, that she might not alarm Philip's suspicious temper and lose an ally in attempting to gain an enemy.[23] Henry himself, by an unpardonable act of indiscretion, prevented her from carrying her intercourse with him to such a length as might have offended or alienated Philip. At the very time when he was courting Elizabeth's friendship with the greatest assiduity, he yielded

[23] Forbes, Full View, i. p. 4.

with an inconsiderate facility to the solicitations of the princes of Lorraine, and allowed his daughter-in-law, the queen of Scots, to assume the title and arms of queen of England. This ill-timed pretension, the source of many calamities to the unfortunate queen of Scots, extinguished at once all the confidence that might have grown between Henry and Elizabeth, and left in its place distrust, resentment, and antipathy. Elizabeth soon found that she must unite her interests closely with Philip's, and expect peace only from negotiations carried on in conjunction with him.[24]

As she had granted a commission, immediately after her accession, to the same plenipotentiaries whom her sister had employed, she now instructed them to act in every point in concert with the plenipotentiaries of Spain, and to take no step until they had previously consulted with them.[25] But, though she deemed it prudent to assume this appearance of confidence in the Spanish monarch, she knew precisely how far to carry it, and discovered no inclination to accept of that extraordinary proposal of marriage which Philip had made to her. The English had expressed so openly their detestation of her sister's choice of him that it would have been highly imprudent to have exasperated them by renewing that odious alliance. She was too well acquainted with Philip's harsh, imperious temper to think of him for a husband. Nor could she admit a dispensation from the pope to be sufficient to authorize her marrying him, without condemning her father's divorce from Catharine of Aragon, and acknowledging of consequence that her mother's marriage was null and her own birth illegitimate. But, though she determined not to yield to Philip's addresses, the situation of her affairs rendered it dangerous to reject them: she returned her answer, therefore, in terms which were evasive, but so tempered with respect that, though they gave him no reason to be secure of success, they did not altogether extinguish his hopes.

By this artifice, as well as by the prudence with which she concealed her sentiments and intentions concerning religion, for some time after her accession, she so far gained upon Philip that he warmly espoused her interest in the conferences which were renewed at Cercamp and afterwards removed to Chateau-Cambresis. A definitive treaty which was to adjust the claims and pretensions of so many princes, required the examination of such a variety of intricate points, and led to such infinite and minute details, as drew out the negotiations to a great length. But the Constable Montmorency exerted himself with such indefatigable zeal and industry, repairing alternately to the courts of Paris and Brussels, in order to obviate or remove every difficulty, that all points in dispute were adjusted at length in such a manner as to give entire satisfaction in every particular to Henry and Philip, and the last hand was ready to be put to the treaty between them.

The claims of England remained as the only obstacle to retard it. Elizabeth demanded the restitution of Calais in the most peremptory tone, as an essential condition of her consenting to peace. Henry refused to give up that important conquest; and both seemed to have taken their resolution with unalterable firmness. Philip warmly supported Elizabeth's pretensions to Calais, not merely from a principle of equity towards the English nation, that he might appear to have contributed to their recovering what they had lost by espousing his cause, nor solely with a view of soothing Elizabeth by this manifestation of zeal for her interest, but in order to render France less formidable, by securing to her ancient enemy this easy access into the heart of the kingdom. The earnestness, however, with which he seconded the arguments of the

[24] Strype's Annals of the Reformation, i. 375.
11.—Carte's History of England, vol. iii p.

[25] Forbes, Full View, i. pp. 37, 40.

English plenipotentiaries soon began to relax. During the course of the negotiation, Elizabeth, who now felt herself firmly seated on her throne, began to take such open and vigorous measures, not only for overturning all that her sister had done in favour of popery, but for establishing the Protestant Church on a firm foundation, as convinced Philip that his hopes of a union with her had been from the beginning vain, and were now desperate. From that period his interpositions in her favour became more cold and formal, flowing merely from a regard to decorum, or from the consideration of remote political interests. Elizabeth, having reason to expect such an alteration in his conduct, quickly perceived it. But, as nothing would have been of greater detriment to her people, or more inconsistent with her schemes of domestic administration, than the continuance of war, she saw the necessity of submitting to such conditions as the situation of her affairs imposed, and that she must reckon upon being deserted by an ally who was now united to her by a very feeble tie, if she did not speedily reduce her demands to what was moderate and attainable. She accordingly gave new instructions to her ambassadors; and, Philip's plenipotentiaries acting as mediators between the French and them,[26] an expedient was fallen upon which in some degree justified Elizabeth's departing from the rigour of her first demand with regard to Calais. All lesser articles were settled without much discussion or delay. Philip, that he might not appear to have abandoned the English, insisted that the treaty between Henry and Elizabeth should be concluded in form before that between the French monarch and himself. The one was signed on the second day of April, the other on the day following.

The treaty of peace between France and England contained no articles of real importance but that which respected Calais. It was stipulated that the king of France should retain possession of that town, with all its dependencies, during eight years; that at the expiration of that term he should restore it to England; that in case of non-performance he should forfeit five hundred thousand crowns, for the payment of which sum seven or eight wealthy merchants, who were not his subjects, should grant security; that five persons of distinction should be given as hostages until that security were provided; that, although the forfeit of five hundred thousand crowns should be paid, the right of England to Calais should still remain entire, in the same manner as if the term of eight years were expired; that the king and queen of Scotland should be included in the treaty; that if they or the French king should violate the peace by any hostile action, Henry should be obliged instantly to restore Calais; that, on the other hand, if any breach of the treaty proceeded from Elizabeth, then Henry and the king and queen of Scots were absolved from all the engagements which they had come under by this treaty.

Notwithstanding the studied attention with which so many precautions were taken, it is evident that Henry did not intend the restitution of Calais, nor is it probable that Elizabeth expected it. It was hardly possible that she could maintain, during the course of eight years, such perfect concord both with France and Scotland as not to afford Henry some pretext for alleging that she had violated the treaty. But, even if that term should elapse without any ground for complaint, Henry might then choose to pay the sum stipulated, and Elizabeth had no method of asserting her right but by force of arms. However, by throwing the articles in the treaty with regard to Calais into this form, Elizabeth satisfied her subjects of every denomination: she gave men of discernment a striking proof of her address in palliating what she could not prevent, and amused the multitude, to whom the cession of such an

[26] Forbes, i. 59.

important place would have appeared altogether infamous, with a prospect of recovering in a short time that favourite possession.

The expedient which Montmorency employed in order to facilitate the conclusion of peace between France and Spain was the negotiating two treaties of marriage, one between Elizabeth, Henry's eldest daughter, and Philip, who supplanted his son, the unfortunate Don Carlos, to whom that princess had been promised in the former conferences at Cercamp; the other between Margaret, Henry's only sister, and the duke of Savoy. For, however feeble the ties of blood may often be among princes, or how little soever they may regard them when pushed on to act by motives of ambition, they assume on other occasions the appearance of being so far influenced by these domestic affections as to employ them to justify measures and concessions which they find to be necessary but know to be impolitic or dishonourable. Such was the use Henry made of the two marriages to which he gave his consent. Having secured an honourable establishment for his sister and his daughter, he, in consideration of these, granted terms both to Philip and the duke of Savoy of which he would not on any other account have ventured to approve.

The principal articles in the treaty between France and Spain were, that a sincere and perpetual amity should be established between the two crowns and their respective allies; that the two monarchs should labour in concert to procure the convocation of a general council, in order to check the progress of heresy and restore unity and concord to the Christian Church; that all conquests made by either party, on this side of the Alps, since the commencement of the war in 1551, should be mutually restored; that the duchy of Savoy, the principality of Piedmont, the country of Bressy, and all the other territories formerly subject to the dukes of Savoy, should be restored to Emanuel Philibert immediately after the celebration of his marriage with Margaret of France, the towns of Turin, Quiers, Pignerol, Chivaz, and Villanova excepted, of which Henry should keep possession until his claims to these places, in right of his grandmother, should be tried and decided in course of law; that, as long as Henry retained these places in his hand, Philip should be at liberty to keep garrisons in the towns of Vercelli and Asti; that the French king should immediately evacuate all the places which he held in Tuscany and the Sienese, and renounce all future pretensions to them; that he should restore the marquisate of Montferrat to the duke of Mantua; that he should receive the Genoese into favour, and give up to them the towns which he had conquered in the island of Corsica; that none of the princes or states to whom these cessions were made should call their subjects to account for any part of their conduct while under the dominion of their enemies, but should bury all past transactions in oblivion. The pope, the emperor, the kings of Denmark, Sweden, Poland, Portugal, the king and queen of Scots, and almost every prince and state in Christendom, were comprehended in this pacification, as the allies either of Henry or of Philip.[27]

Thus, by this famous treaty, peace was re-established in Europe. All the causes of discord which had so long embroiled the powerful monarchs of France and Spain, that had transmitted hereditary quarrels and wars from Charles to Philip and from Francis to Henry, seemed to be wholly removed or finally terminated. The French alone complained of the unequal conditions of a treaty into which an ambitious minister, in order to recover his liberty, and an artful mistress, that she might gratify her resentment, had seduced their too easy monarch. They exclaimed loudly against the folly of giving up to the enemies of France a hundred and eighty-nine fortified places in the Low

[27] Recueil des Traités, tom. ii. 287.

Countries or in Italy, in return for the three insignificant towns of St. Quentin, Ham, and Catelet. They considered it as an indelible stain upon the glory of the nation to renounce in one day territories so extensive and so capable of being defended that the enemy could not have hoped to wrest them out of its hands after many years of victory.

But Henry, without regarding the sentiments of his people or being moved by the remonstances of his council, ratified the treaty, and executed with great fidelity whatever he had stipulated to perform. The duke of Savoy repaired with a numerous retinue to Paris, in order to celebrate his marriage with Henry's sister. The duke of Alva was sent to the same capital, at the head of a splendid embassy, to espouse Elizabeth in the name of his master. They were received with extraordinary magnificence by the French court. Amidst the rejoicings and festivities on that occasion, Henry's days were cut short by a singular and tragical accident. His son, Francis II., a prince under age, of a weak constitution, and of a mind still more feeble, succeeded him. Soon after, Paul ended his violent and imperious pontificate, at enmity with all the world, and disgusted even with his own nephews. They, persecuted by Philip, and deserted by the succeeding pope, whom they had raised by their influence to the papal throne, were condemned to the punishment which their crimes and ambition had merited, and their death was as infamous as their lives had been criminal. Thus most of the personages who had long sustained the principal characters on the great theatre of Europe disappeared about the same time. A more known period of history opens at this era; other actors enter upon the stage, with different views, as well as different passions; new contests arose, and new schemes of ambition occupied and disquieted mankind.

Upon reviewing the transactions of any active period in the history of civilized nations, the changes which are accomplished appear wonderfully disproportioned to the efforts which have been exerted. Conquests are never very extensive or rapid but among nations whose progress in improvement is extremely unequal. When Alexander the Great, at the head of a gallant people, of simple manners and formed to war by admirable military institutions, invaded a state sunk in luxury and enervated by excessive refinement; when Genchizcan and Tamerlane, with their armies of hardy barbarians, poured in upon nations enfeebled by the climate in which they lived or by the arts and commerce which they cultivated, these conquerors, like a torrent, swept everything before them, subduing kingdoms and provinces in as short a space of time as was requisite to march through them. But when nations are in a state similar to each other, and keep equal pace in their advances towards refinement, they are not exposed to the calamity of sudden conquests. Their acquisitions of knowledge, their progress in the art of war, their political sagacity and address, are nearly equal. The fate of states in this situation depends not on a single battle. Their internal resources are many and various. Nor are they themselves alone interested in their own safety, or active in their own defence. Other states interpose, and balance any temporary advantage which either party may have acquired. After the fiercest and most lengthened contest, all the rival nations are exhausted, none are conquered. At length they find it necessary to conclude a peace, which restores to each almost the same power and the same territories of which they were formerly in possession.

Such was the state of Europe during the reign of Charles V. No prince was so much superior to the rest in power as to render his efforts irresistible and his conquests easy. No nation had made progress in improvement so far beyond its neighbours as to have acquired a very manifest pre-eminence.

Each state derived some advantage, or was subject to some inconvenience, from its situation or its climate; each was distinguished by something peculiar in the genius of its people or the constitution of its government. But the advantages possessed by one state were counterbalanced by circumstances favourable to others; this prevented any from attaining such superiority as might have been fatal to all. The nations of Europe in that age, as in the present, were like one great family: there were some features common to all, which fixed a resemblance; there were certain peculiarities conspicuous in each, which marked a distinction. But there was not among them that wide diversity of character and of genius which, in almost every period of history, hath exalted the Europeans above the inhabitants of the other quarters of the globe, and seems to have destined the one to rule and the other to obey.

But though the near resemblance and equality in improvement among the different nations of Europe prevented the reign of Charles V. from being distinguished by such sudden and extensive conquests as occur in some other periods of history, yet during the course of his administration all the considerable states in Europe suffered a remarkable change in their political situation, and felt the influence of events which have not hitherto spent their force, but still continue to operate in a greater or in a less degree. It was during his reign, and in consequence of the perpetual efforts to which his enterprising ambition roused him, that the different kingdoms of Europe acquired internal vigour; that they discerned the resources of which they were possessed; that they came both to feel their own strength and to know how to render it formidable to others. It was during his reign, too, that the different kingdoms of Europe, which in former times seemed frequently to act as if they had been single and disjoined, became so thoroughly acquainted and so intimately connected with each other as to form one great political system, in which each took a station, wherein it hath remained since that time with less variation than could have been expected after the events of two active centuries.

The progress, however, and acquisitions of the house of Austria were not only greater than those of any other power, but more discernible and conspicuous. I have already enumerated the extensive territories which descended to Charles from his Austrian, Burgundian, and Spanish ancestors.[28] To these he himself added the imperial dignity; and, as if all this had been too little, the bounds of the habitable globe seemed to be extended, and a new world was subjected to his command. Upon his resignation, the Burgundian provinces, and the Spanish kingdoms with their dependencies, both in the Old and New Worlds, devolved to Philip. But Charles transmitted his dominions to his son in a condition very different from that in which he himself had received them. They were augmented by the accession of new provinces; they were habituated to obey an administration which was no less vigorous than steady; they were accustomed to expensive and persevering efforts, which, though necessary in the contests between civilized nations, had been little known in Europe before the sixteenth century. The provinces of Friesland, Utrecht, and Overyssel, which he acquired by purchase from their former proprietors, and the duchy of Gueldres, of which he made himself master partly by force of arms, partly by the arts of negotiation, were additions of great value to his Burgundian dominions. Ferdinand and Isabella had transmitted to him all the provinces of Spain, from the bottom of the Pyrenees to the frontiers of Portugal; but, as he maintained a perpetual peace with that kingdom, amidst the various efforts of his enterprising ambition, he made no acquisition of territory in that quarter.

[28] Page 155.

Charles had gained, however, a vast accession of power in this part of his dominions. By his success in the war with the commons of Castile he exalted the regal prerogative upon the ruins of the privileges which formerly belonged to the people. Though he allowed the name of the cortes to remain, and the formality of holding it to be continued, he reduced its authority and jurisdiction almost to nothing, and modelled it in such a manner that it became rather a junto of the servants of the crown than an assembly of the representatives of the people. One member of the constitution being thus lopped off, it was impossible but that the other must feel the stroke and suffer by it. The suppression of the popular power rendered the aristocratical less formidable. The grandees, prompted by the warlike spirit of the age, or allured by the honours which they enjoyed in a court, exhausted their fortunes in military service or in attending on the person of their prince. They did not dread, perhaps did not observe, the dangerous progress of the royal authority, which, leaving them the vain distinction of being covered in the presence of their sovereign, stripped them by degrees of that real power which they possessed while they formed one body and acted in concert with the people. Charles's success in abolishing the privileges of the commons and in breaking the power of the nobles of Castile encouraged Philip to invade the liberties of Aragon, which were still more extensive. The Castilians, accustomed to subjection themselves, assisted in imposing the yoke on their more happy and independent neighbours. The will of the sovereign became the supreme law in all the kingdoms of Spain; and princes who were not checked in forming their plans by the jealousy of the people, nor controlled in executing them by the power of the nobles, could both aim at great objects and call forth the whole strength of the monarchy in order to attain them.

As Charles by extending the royal prerogative rendered the monarchs of Spain masters at home, he added new dignity and power to their crown by his foreign acquisitions. He secured to Spain the quiet possession of the kingdom of Naples, which Ferdinand had usurped by fraud and held with difficulty. He united the duchy of Milan, one of the most fertile and populous Italian provinces, to the Spanish crown, and left his successors, even without taking their other territories into the account, the most considerable princes in Italy, which had been long the theatre of contention to the great powers of Europe, and in which they had struggled with emulation to obtain the superiority. When the French, in conformity to the treaty of Chateau-Cambresis, withdrew their forces out of Italy, and finally relinquished all their schemes of conquest on that side of the Alps, the Spanish dominions there rose in importance, and enabled their kings, as long as the monarchy retained any degree of vigour, to preserve the chief sway in all the transactions of that country. But whatever accession, either of interior authority or of foreign dominion, Charles gained for the monarchs of Spain in Europe, was inconsiderable when compared with his acquisitions in the New World. He added there, not provinces, but empires, to his crown. He conquered territories of such immense extent, he discovered such inexhaustible veins of wealth, and opened such boundless prospects of every kind, as must have roused his successor, and have called him forth to action, though his ambition had been much less ardent than that of Philip, and must have rendered him not only enterprising, but formidable.

While the elder branch of the Austrian family rose to such pre-eminence in Spain, the younger, of which Ferdinand was the head, grew to be considerable in Germany. The ancient hereditary dominions of the house of Austria in Germany, united to the kingdom of Hungary and Bohemia, which Ferdinand had acquired by marriage, formed a respectable power; and when the imperial

dignity was added to these, Ferdinand possessed territories more extensive than had belonged to any prince, Charles V. excepted, who had been at the head of the empire during several ages. Fortunately for Europe, the disgust which Philip conceived on account of Ferdinand's refusing to relinquish the imperial crown in his favour not only prevented for some time the separate members of the house of Austria from acting in concert, but occasioned between them a visible alienation and rivalship. By degrees, however, regard to the interest of their family extinguished this impolitical animosity. The confidence which was natural returned; the aggrandizing of the house of Austria became the common object of all their schemes; they gave and received assistance alternately towards the execution of them; and each derived consideration and importance from the other's success. A family so great and so aspiring became the general object of jealousy and terror. All the power as well as policy of Europe were exerted during a century in order to check and humble it. Nothing can give a more striking idea of the ascendant which it had acquired than that, after its vigour was spent with extraordinary exertions of its strength, after Spain was become only the shadow of a great name, and its monarchs were sunk into debility and dotage, the house of Austria still continued to be formidable. The nations of Europe had so often felt its superior power, and had been so constantly employed in guarding against it, that the dread of it became a kind of political habit, the influence of which remained when the causes which had formed it ceased to exist.

While the house of Austria went on with such success in enlarging its dominions, France made no considerable acquisition of new territory. All its schemes of conquest in Italy had proved abortive; it had hitherto obtained no establishment of consequence in the New World; and, after the continued and vigorous efforts of four successive reigns, the confines of the kingdom were much the same as Louis XI. had left them. But, though France made not such large strides towards dominion as the house of Austria, it continued to advance by steps which were more secure, because they were gradual and less observed. The conquest of Calais put it out of the power of the English to invade France but at their utmost peril, and delivered the French from the dread of their ancient enemies, who previous to that event could at any time penetrate into the kingdom by that avenue, and thereby retard or defeat the execution of their best-concerted enterprises against any foreign power. The important acquisition of Metz covered that part of their frontier which formerly was most feeble and lay most exposed to insult. France, from the time of its obtaining these additional securities against external invasion, must be deemed the most powerful kingdom in Europe, and is more fortunately situated than any on the continent, either for conquest or defence. From the confines of Artois to the bottom of the Pyrenees, and from the British Channel to the frontiers of Savoy and the coast of the Mediterranean, its territories lie compact and unmingled with those of any other power. Several of the considerable provinces which had contracted a spirit of independence by their having been long subject to the great vassals of the crown, who were often at variance or at war with their master, were now accustomed to recognize and to obey one sovereign. As they became members of the same monarchy, they assumed the sentiments of that body into which they were incorporated, and co-operated with zeal towards promoting its interest and honour. The power and influence wrested from the nobles were seized by the crown. The people were not admitted to share in these spoils; they gained no new privilege; they acquired no additional weight in the legislature. It was not for the sake of the people, but in order to extend their own prerogative, that the monarchs of

France had laboured to humble their great vassals. Satisfied with having brought them under entire subjection to the crown, they discovered no solicitude to free the people from their ancient dependence on the nobles of whom they held, and by whom they were often oppressed.

A monarch at the head of a kingdom thus united at home and secure from abroad was entitled to form great designs, because he felt himself in a condition to execute them. The foreign wars which had continued with little interruption from the accession of Charles VIII. had not only cherished and augmented the martial genius of the nation, but, by inuring the troops during the course of long service to the fatigues of war, and accustoming them to obedience, had added the force of discipline to their natural ardour. A gallant and active body of nobles, who considered themselves as idle and useless unless when they were in the field, who were hardly acquainted with any pastime or exercise but what was military, and who knew no road to power, or fame, or wealth, but war, would not have suffered their sovereign to remain long in inaction. The people, little acquainted with the arts of peace, and always ready to take arms at the command of their superiors, were accustomed, by the expense of long wars carried on in distant countries, to bear impositions which, however inconsiderable they may seem if estimated by the exorbitant rate of modern exactions, appear immense when compared with the sums levied in France, or in any other country of Europe, previous to the reign of Louis XI. As all the members of which the state was composed were thus impatient for action and capable of great efforts, the schemes and operations of France must have been no less formidable to Europe than those of Spain. The superior advantages of its situation, the contiguity and compactness of its territories, together with the peculiar state of its political constitution at that juncture, must have rendered its enterprises still more alarming and more decisive. The king possessed such a degree of power as gave him the entire command of his subjects; the people were strangers to those occupations and habits of life which render men averse to war and unfit for it; and the nobles, though reduced to the subordination necessary in a regular government, still retained the high undaunted spirit which was the effect of their ancient independence. The vigour of the feudal times remained, their anarchy was at an end; and the kings of France could avail themselves of the martial ardour which that singular institution had kindled or kept alive, without being exposed to the dangers or inconveniences which are inseparable from it when in entire force.

A kingdom in such a state is, perhaps, capable of greater military efforts than at any other period in its progress. But, how formidable or how fatal soever to the other nations of Europe the power of such a monarchy might have been, the civil wars which broke out in France saved them at that juncture from feeling its effects. These wars, of which religion was the pretext and ambition the cause, wherein great abilities were displayed by the leaders of the different factions, and little conduct or firmness was manifested by the crown under a succession of weak princes, kept France occupied and embroiled for half a century. During these commotions the internal strength of the kingdom was much wasted, and such a spirit of anarchy was spread among the nobles, to whom rebellion was familiar and the restraint of laws unknown, that a considerable interval became requisite, not only for recruiting the internal vigour of the nation, but for re-establishing the authority of the prince; so that it was long before France could turn her whole attention towards foreign transactions or act with her proper force in foreign wars. It was long before she rose to that ascendant in Europe which she has maintained since the administration of Cardinal Richelieu, and which the situation as

well as extent of the kingdom, the nature of her government, together with the character of her people, entitle her to maintain.

While the kingdoms on the continent grew into power and consequence, England likewise made considerable progress towards regular government and interior strength. Henry VIII., probably without intention, and certainly without any consistent plan, of which his nature was incapable, pursued the scheme of depressing the nobility, which the policy of his father, Henry VII., had begun. The pride and caprice of his temper led him to employ chiefly new men in the administration of affairs, because he found them most obsequious or least scrupulous; and he not only conferred on them such plenitude of power but exalted them to such pre-eminence in dignity as mortified and degraded the ancient nobility. By the alienation or sale of the church lands, which were dissipated with a profusion not inferior to the rapaciousness with which they had been seized, as well as by the privilege granted to the ancient landholders of selling their estates or disposing of them by will, an immense property, formerly locked up, was brought into circulation. This put the spirit of industry and commerce in motion, and gave it some considerable degree of vigour. The road to power and to opulence became open to persons of every condition. A sudden and excessive flow of wealth from the West Indies proved fatal to industry in Spain; a moderate accession in England to the sum in circulation gave life to commerce, awakened the ingenuity of the nation, and excited it to useful enterprise. In France, what the nobles lost the crown gained. In England, the commons were gainers as well as the king. Power and influence accompanied, of course, the property which they acquired. They rose to consideration among their fellow-subjects; they began to feel their own importance; and, extending their influence in the legislative body gradually, and often when neither they themselves nor others foresaw all the effects of their claims and pretensions, they at last attained that high authority to which the British constitution is indebted for the existence, and must owe the preservation, of its liberty. At the same time that the English constitution advanced towards perfection, several circumstances brought on a change in the ancient system with respect to foreign powers, and introduced another more beneficial to the nation. As soon as Henry disclaimed the supremacy of the papal see and broke off all connection with the papal court, considerable sums were saved to the nation, of which it had been annually drained by remittances to Rome for dispensations and indulgences, by the expense of pilgrimages into foreign countries,[29] or by payment of annates, first-fruits, and a thousand other taxes, which that artful and rapacious court levied on the credulity of mankind. The exercise of a jurisdiction different from that of the civil power, and claiming not only to be independent of it but superior to it, a wild solecism in government, apt not only to perplex and disquiet weak minds, but tending directly to disturb society, was finally abolished. Government became more simple, as well as more respectable, when no rank or character exempted any person from being amenable to the same courts as other subjects, from being tried by the same judges, and from being acquitted or condemned by the same laws.

By the loss of Calais the English were excluded from the continent. All schemes for invading France became, of course, as chimerical as they had

[29] The loss which the nation sustained by most of these articles is obvious, and must have been great. Even that by pilgrimages was not inconsiderable. In the year 1428, license was obtained by no fewer than nine hundred and sixteen persons to visit the shrine of St. James of Compostella in Spain. (Rymer, vol. x. p. . .) In 1434, the number of pilgrims to the same place was two thousand four hundred and sixty. (Ibid., p. . .) In 1445, they were two thousand one hundred. Ibid., vol. xi. p. . .

formerly been pernicious. The views of the English were confined, first by necessity and afterwards from choice, within their own island. That rage for conquest which had possessed the nation during many centuries, and wasted its strength in perpetual and fruitless wars, ceased at length. Those active spirits which had known and followed no profession but war sought for occupation in the arts of peace, and their country was benefited as much by the one as it had suffered by the other. The nation, which had been exhausted by frequent expeditions to the continent, recruited its numbers and acquired new strength; and when roused by any extraordinary exigency to take part in foreign operations, the vigour of its efforts was proportionally great, because they were only occasional and of short continuance.

The same principle which had led England to adopt this new system with regard to the powers on the continent occasioned a change in its plan of conduct with respect to Scotland, the only foreign state with which, on account of its situation in the same island, the English had such a close connection as demanded their perpetual attention. Instead of prosecuting the ancient scheme of conquering that kingdom, which the nature of the country, defended by a brave and hardy people, rendered dangerous, if not impracticable, it appeared more eligible to endeavour at obtaining such influence in Scotland as might exempt England from any danger or disquiet from that quarter. The national poverty of the Scots, together with the violence and animosity of their factions, rendered the execution of this plan easy to a people far superior to them in wealth. The leading men of greatest power and popularity were gained; the ministers and favourites of the crown were corrupted; and such absolute direction of the Scottish councils was acquired as rendered the operations of the one kingdom dependent in a great measure on the sovereign of the other. Such perfect external security, added to the interior advantages which England now possessed, must soon have raised it to new consideration and importance; the long reign of Elizabeth, equally conspicuous for wisdom, for steadiness, and for vigour, accelerated its progress, and carried it with greater rapidity towards that elevated station which it hath since held among the powers of Europe.

During the period in which the political state of the great kingdoms underwent such changes, revolutions of considerable importance happened in that of the secondary or inferior powers. Those in the papal court are most obvious and of most extensive consequence.

In the preliminary book I have mentioned the rise of that spiritual jurisdiction which the popes claim as vicars of Jesus Christ, and have traced the progress of that authority which they possess as temporal princes.[30] Previous to the reign of Charles V. there was nothing that tended to circumscribe or to moderate their authority but science and philosophy, which began to revive and to be cultivated. The progress of these, however, was still inconsiderable; they always operate slowly; and it is long before their influence reaches the people or can produce any sensible effect upon them. They may perhaps gradually, and in a long course of years, undermine and shake an established system of false religion, but there is no instance of their having overturned one. The battery is too feeble to demolish those fabrics which superstition raises on deep foundations and can strengthen with the most consummate art.

Luther had attacked the papal supremacy with other weapons and with an impetuosity more formidable. The time and manner of his attack concurred with a multitude of circumstances, which have been explained, in giving him immediate success. The charm which had bound mankind for so many ages

[30] Page 58, etc.

was broken at once. The human mind, which had continued long as tame and passive as if it had been formed to believe whatever was taught and to bear whatever was imposed, roused of a sudden, and became inquisitive, mutinous, and disdainful of the yoke to which it had hitherto submitted. That wonderful ferment and agitation of mind, which at this distance of time appears unaccountable or is condemned as extravagant, was so general that it must have been excited by causes which were natural and of powerful efficacy. The kingdoms of Denmark, Sweden, England, and Scotland, and almost one-half of Germany, threw off their allegiance to the pope, abolished his jurisdiction within their territories, and gave the sanction of law to modes of discipline and systems of doctrine which were not only independent of his power but hostile to it. Nor was the spirit of innovation confined to those countries which openly revolted from the pope; it spread through all Europe, and broke out in every part of it, with various degrees of violence. It penetrated early into France, and made a quick progress there. In that kingdom the number of converts to the opinions of the Reformers was so great, their zeal so enterprising, and the abilities of their leaders so distinguished, that they soon ventured to contend for superiority with the established Church, and were sometimes on the point of obtaining it. In all the provinces of Germany which continued to acknowledge the papal supremacy, as well as in the Low Countries, the Protestant doctrines were secretly taught, and had gained so many proselytes that they were ripe for revolt, and were restrained merely by the dread of their rulers from imitating the example of their neighbours and asserting their independence. Even in Spain and in Italy, symptoms of the same disposition to shake off the yoke appeared. The pretensions of the pope to infallible knowledge and supreme power were treated by many persons of eminent learning and abilities with such scorn, or attacked with such vehemence, that the most vigilant attention of the civil magistrate, the highest strains of pontifical authority, and all the rigour of inquisitorial jurisdiction, were requisite to check and extinguish it.

The defection of so many opulent and powerful kingdoms from the papal see was a fatal blow to its grandeur and power. It abridged the dominions of the popes in extent; it diminished their revenues, and left them fewer rewards to bestow on the ecclesiastics of various denominations, attached to them by vows of obedience as well as by ties of interest, and whom they employed as instruments to establish or support their usurpations in every part of Europe. The countries, too, which now disclaimed their authority were those which formerly had been most devoted to it. The empire of superstition differs from every other species of dominion; its power is often greatest and most implicitly obeyed in the provinces most remote from the seat of government; while such as are situated nearer to that are more apt to discern the artifices by which it is upheld, or the impostures on which it is founded. The personal frailties or vices of the popes, the errors as well as corruption of their administration, the ambition, venality, and deceit which reigned in their courts, fell immediately under the observation of the Italians, and could not fail of diminishing that respect which begets submission. But in Germany, England, and the more remote parts of Europe, these were either altogether unknown or, being only known by report, made a slighter impression. Veneration for the papal dignity increased accordingly in these countries in proportion to their distance from Rome; and that veneration, added to their gross ignorance, rendered them equally credulous and passive. In tracing the progress of the papal domination, the boldest and most successful instances of encroachment are to be found in Germany and other countries

distant from Italy. In these its impositions were heaviest and its exactions the most rapacious; so that, in estimating the diminution of power which the court of Rome suffered in consequence of the Reformation, not only the number but the character of the people who revolted, not only the great extent of territory but the extraordinary obsequiousness of the subjects which it lost, must be taken into the account.

Nor was it only by this defection of so many kingdoms and states which the Reformation occasioned that it contributed to diminish the power of the Roman pontiffs. It obliged them to adopt a different system of conduct towards the nations which still continued to recognize their jurisdiction, and to govern them by new maxims and with a milder spirit. The Reformation taught them, by a fatal example, what they seem not before to have apprehended, that the credulity and patience of mankind might be overburdened and exhausted. They became afraid of venturing upon any such exertion of their authority as might alarm or exasperate their subjects and excite them to a new revolt. They saw a rival Church established in many countries of Europe, the members of which were on the watch to observe any errors in their administration, and eager to expose them. They were sensible that the opinions adverse to their power and usurpations were not adopted by their enemies alone, but had spread even among the people who still adhered to them. Upon all these accounts, it was no longer possible to lead or to govern their flock in the same manner as in those dark and quiet ages when faith was implicit, when submission was unreserved, and all tamely followed and obeyed the voice of their pastor. From the era of the Reformation, the popes have ruled rather by address and management than by authority. Though the style of their decrees be still the same, the effect of them is very different. Those bulls and interdicts which, before the Reformation, made the greatest princes tremble, have since that period been disregarded or despised by the most inconsiderable. Those bold decisions and acts of jurisdiction which, during many ages, not only passed uncensured but were revered as the awards of a sacred tribunal, would, since Luther's appearance, be treated by one part of Europe as the effect of folly or arrogance, and be detested by the other as impious and unjust. The popes, in their administration, have been obliged not only to accommodate themselves to the notions of their adherents, but to pay some regard to the prejudices of their enemies. They seldom venture to claim new powers, or even to insist obstinately on their ancient prerogatives, lest they should irritate the former; they carefully avoid every measure that may either excite the indignation or draw on them the derision of the latter. The policy of the court of Rome has become as cautious, circumspect, and timid as it was once adventurous and violent; and though their pretensions to infallibility, on which all their authority is founded, do not allow them to renounce any jurisdiction which they have at any time claimed or exercised, they find it expedient to suffer many of their prerogatives to lie dormant, and not to expose themselves to the risk of losing that remainder of power which they still enjoy, by ill-timed attempts towards reviving obsolete pretensions. Before the sixteenth century, the popes were the movers and directors in every considerable enterprise; they were at the head of every great alliance; and, being considered as arbiters in the affairs of Christendom, the court of Rome was the centre of political negotiation and intrigue. Since that time the greatest operations in Europe have been carried on independent of them; they have sunk almost to a level with the other petty princes of Italy; they continue to claim, though they dare not exercise, the same spiritual jurisdiction, but hardly retain any shadow of the temporal power which they anciently possessed.

But how fatal soever the Reformation may have been to the power of the popes, it has contributed to improve the Church of Rome both in science and in morals. The desire of equalling the Reformers in those talents which had procured them respect, the necessity of acquiring the knowledge requisite for defending their own tenets or refuting the arguments of their opponents, together with the emulation natural between two rival Churches, engaged the Roman Catholic clergy to apply themselves to the study of useful science, which they cultivated with such assiduity and success that they have gradually become as eminent in literature as they were in some periods infamous for ignorance. The same principle occasioned a change no less considerable in the morals of the Romish clergy. Various causes, which have formerly been enumerated, had concurred in introducing great irregularity, and even dissolution of manners, among the popish clergy. Luther and his adherents began their attack on the Church with such vehement invectives against these, that, in order to remove the scandal and silence their declamations, greater decency of conduct became necessary. The Reformers themselves were so eminent not only for the purity but even austerity of their manners, and had acquired such reputation among the people on that account, that the Roman Catholic clergy must have soon lost all credit if they had not endeavoured to conform in some measure to their standard. They knew that all their actions fell under the severe inspection of the Protestants, whom enmity and emulation prompted to observe every vice, or even impropriety, in their conduct, to censure them without indulgence, and to expose them without mercy. This rendered them, of course, not only cautious to avoid such enormities as might give offence, but studious to acquire the virtues which might merit praise. In Spain and Portugal, where the tyrannical jurisdiction of the Inquisition crushed the Protestant faith as soon as it appeared, the spirit of Popery continues invariable; science has made small progress, and the character of ecclesiastics has undergone little change. But in those countries where the members of the two Churches have mingled freely with each other, or have carried on any considerable intercourse, either commercial or literary, an extraordinary alteration in the ideas as well as in the morals of the popish ecclesiastics is manifest. In France, the manners of the dignitaries and secular clergy have become decent and exemplary in a high degree. Many of them have been distinguished for all the accomplishments and virtues which can adorn their profession, and differ greatly from their predecessors before the Reformation, both in their maxims and in their conduct.

Nor has the influence of the Reformation been felt only by the inferior members of the Roman Catholic Church; it has extended to the sea of Rome, to the sovereign pontiffs themselves. Violations of decorum, and even trespasses against morality, which passed without censure in those ages when neither the power of the popes nor the veneration of the people for their character had any bounds,—when there was no hostile eye to observe the errors in their conduct, and no adversaries zealous to inveigh against them,—would be liable now to the severest animadversion, and excite general indignation or horror. Instead of rivalling the courts of temporal princes in gayety and surpassing them in licentiousness, the popes have studied to assume manners more severe and more suitable to their ecclesiastical character. The chair of St. Peter hath not been polluted, during two centuries, by any pontiff that resembled Alexander VI., or several of his predecessors, who were a disgrace to religion and to human nature. Throughout this long succession of popes, a wonderful decorum of conduct, compared with that of preceding ages, is observable. Many of them, especially among the pontiffs of the present

century, have been conspicuous for all the virtues becoming their high station, and by their humanity, their love of literature, and their moderation, have made some atonement to mankind for the crimes of their predecessors. Thus the beneficial influences of the Reformation have been more extensive than they appear on a superficial view; and this great division in the Christian Church hath contributed, in some measure, to increase purity of manners, to diffuse science, and to inspire humanity. History recites such a number of shocking events occasioned by religious dissensions that it must afford peculiar satisfaction to trace any one salutary or beneficial effect to that source from which so many fatal calamities have flowed.

The republic of Venice, which at the beginning of the sixteenth century had appeared so formidable that almost all the potentates of Europe united in a confederacy for its destruction, declined gradually from its ancient power and splendour. The Venetians not only lost a great part of their territory in the war excited by the League of Cambray, but the revenues as well as vigour of the state were exhausted by their extraordinary and long-continued efforts in their own defence; and that commerce by which they had acquired their wealth and power began to decay, without any hopes of its reviving. All the fatal consequences to their republic, which the sagacity of the Venetian senate foresaw on the first discovery of a passage to the East Indies by the Cape of Good Hope, actually took place. Their endeavours to prevent the Portuguese from establishing themselves in the East Indies, not only by exciting the soldans of Egypt, and the Ottoman monarchs, to turn their arms against such dangerous intruders, but by affording secret aid to the infidels in order to insure their success,[21] proved ineffectual. The activity and valour of the Portuguese surmounted every obstacle, and obtained such a firm footing in that fertile country as secured to them large possessions, together with an influence still more extensive. Lisbon, instead of Venice, became the staple for the precious commodities of the East. The Venetians, after having possessed for many years the monopoly of that beneficial commerce, had the mortification to be excluded from almost any share in it. The discoveries of the Spaniards in the Western World proved no less fatal to inferior branches of their commerce. The original defects which were formerly pointed out in the constitution of the Venetian republic still continued, and the disadvantages with which it undertook any great enterprise increased rather than diminished. The sources from which it derived its extraordinary riches and power being dried up, the interior vigour of the state declined, and, of course, its external operations became less formidable. Long before the middle of the sixteenth century, Venice ceased to be one of the principal powers in Europe, and dwindled into a secondary and subaltern state. But, as the senate had the address to conceal the diminution of its power, under the veil of moderation and caution, as it made no rash effort that could discover its weakness, as the symptoms of political decay in states are not soon observed, and are seldom so apparent to their neighbours as to occasion any sudden alteration in their conduct towards them, Venice continued long to be considered and respected. She was treated not according to her present condition, but according to the rank which she had formerly held. Charles V., as well as the kings of France, his rivals, courted her assistance with emulation and solicitude in all their enterprises. Even down to the close of the century, Venice remained not only an object of attention, but a considerable seat of political negotiation and intrigue.

That authority which the first Cosmo de' Medici, and Lawrence, his grand-

[21] Freher., Script. Rer. German., vol. ii. p. 529.

son, had acquired in the republic of Florence by their beneficence and abilities inspired their descendants with the ambition of usurping the sovereignty in their country, and paved their way towards it. Charles V. placed Alexander de' Medici at the head of the republic, and to the natural interest and power of the family added the weight as well as credit of the imperial protection. Of these, his successor Cosmo, surnamed the Great, availed himself; and, establishing his supreme authority on the ruins of the ancient republican constitution, he transmitted that, together with the title of Grand Duke of Tuscany, to his descendants. Their dominions were composed of the territories which had belonged to the three commonwealths of Florence, Pisa, and Siena, and formed one of the most respectable of the Italian states.

The dukes of Savoy, during the former part of the sixteenth century, possessed territories which were not considerable either for extent or value; and the French, having seized the greater part of them, obliged the reigning duke to retire for safety to the strong fortress of Nice, where he shut himself up for several years, while his son, the prince of Piedmont, endeavoured to better his fortune by serving as an adventurer in the armies of Spain. The peace of Chateau-Cambresis restored to him his paternal dominions. As these are environed on every hand by powerful neighbours, all whose motions the dukes of Savoy must observe with the greatest attention, in order not only to guard against the danger of being surprised and overpowered, but that they may choose their side with discernment in those quarrels wherein it is impossible for them to avoid taking part, this peculiarity of their situation seems to have had no inconsiderable influence on their character. By rousing them to perpetual attention, by keeping their ingenuity always on the stretch, and engaging them in almost continual action, it hath formed a race of princes more sagacious in discovering their true interests, more decisive in their resolutions, and more dexterous in availing themselves of every occurrence which presented itself, than any, perhaps, that can be singled out in the history of Europe. By gradual acquisitions the dukes of Savoy have added to their territories, as well as to their own importance; and, aspiring at length to regal dignity, which they obtained about half a century ago, by the title of kings of Sardinia, they hold now no inconsiderable rank among the monarchs of Europe.

The territories which form the republic of the United Netherlands were lost, during the first part of the sixteenth century, among the numerous provinces subject to the house of Austria, and were then so inconsiderable that hardly one opportunity of mentioning them hath occurred in all the busy period of this history. But soon after the peace of Chateau-Cambresis the violent and bigoted maxims of Philip's government, being carried into execution with unrelenting rigour by the duke of Alva, exasperated the people of the Low Countries to such a degree that they threw off the Spanish yoke and asserted their ancient liberties and laws. These they defended with persevering valour, which gave employment to the arms of Spain during half a century, exhausted the vigour, ruined the reputation of that monarchy, and at last constrained their ancient masters to recognize and to treat with them as a free and independent state. This state, founded on liberty and reared by industry and economy, grew into great reputation, even while struggling for its existence. But when peace and security allowed it to enlarge its views and to extend its commerce, it rose to be one of the most respectable as well as enterprising powers in Europe.

The transactions of the kingdoms in the north of Europe have been seldom attended to in the course of this history.

Russia remained buried in that barbarism and obscurity from which it was called about the beginning of the present century by the creative genius of Peter the Great, who made his country known and formidable to the rest of Europe.

In Denmark and Sweden, during the reign of Charles V., great revolutions happened in their constitutions, civil as well as ecclesiastical. In the former kingdom, a tyrant being degraded from the throne and expelled the country, a new prince was called by the voice of the people to assume the reins of government. In the latter, a fierce people, roused to arms by injuries and oppression, shook off the Danish yoke, and conferred the regal dignity on its deliverer, Gustavus Ericson, who had all the virtues of a hero and of a patriot. Denmark, exhausted by foreign wars or weakened by the dissensions between the king and the nobles, became incapable of such efforts as were requisite in order to recover the ascendant which it had long possessed in the north of Europe. Sweden, as soon as it was freed from the dominion of strangers, began to recruit its strength, and acquired in a short time such internal vigour that it became the first kingdom in the North. Early in the subsequent century it rose to such a high rank among the powers of Europe that it had the chief merit in forming, as well as conducting, that powerful league which protected not only the Protestant religion but the liberties of Germany against the bigotry and ambition of the house of Austria.

Wm. H. Prescott

THE LIFE

OF

CHARLES THE FIFTH

AFTER

HIS ABDICATION.

In the Advertisement I have noticed the existence of sundry documents in the Archives of Simancas which give an entirely new complexion to the life of Charles the Fifth after his abdication. The manner in which these documents have been brought before the public forms a curious chapter in literary history; and the account which I have given of it at the close of the First Book of the History of Philip the Second may not be unacceptable to the reader:

"While the manuscripts of Simancas were hidden from the world, a learned keeper of the archives, Don Tomas Gonzalez, discontented with the unworthy view which had been given of the latter days of Charles the Fifth, had profited by the materials which lay around him, to exhibit his life at Yuste in a new and more authentic light. To the volume which he compiled for this purpose he gave the title of '*Retiro, Estancia y Muerte del Emperador Carlos Quinto en el Monasterio de Yuste.*' The work, the principal value of which consists in the copious extracts with which it is furnished from the correspondence of Charles and his household, was suffered by the author to remain in manuscript: and at his death it passed into the hands of his brother, who prepared a summary of its contents, and endeavoured to dispose of the volume at a price so exorbitant that it remained for many years without a purchaser. It was finally bought by the French government at a greatly reduced price,—four thousand francs. It may seem strange that it should have brought even this sum, since the time of the sale was that in which the new arrangements were made for giving admission to the archives that contained the original documents on which the Gonzalez MS. was founded. The work thus bought by the French government was transferred to the *Archives des Affaires Etrangères*, then under the direction of M. Mignet. The manuscript could not be in better hands than in those of a scholar who has so successfully carried the torch of criticism into some of the darkest passages of Spanish history. His occupations, however, took him in another direction; and for eight years the Gonzalez MS. remained as completely hidden from the world in the Parisian archives as it had been in those of Simancas. When at length it was applied to the historical uses for which it had been intended, it was through the agency, not of a French, but of a British writer. This was Mr. Stirling, the author of the 'Annals of the Artists of Spain,'—a work honourable to its author for the familiarity it shows not only with the state of the arts in that country, but also with its literature.

"Mr. Stirling, during a visit to the Peninsula in 1849, made a pilgrimage to Yuste; and the traditions and hoary reminiscences gathered round the spot left such an impression on the traveller's mind that on his return to England he made them the subject of two elaborate papers in Fraser's Magazine, in the numbers for April and May, 1851. Although these spirited essays rested wholly on printed works, which had long been accessible to the scholar, they were found to contain many new and highly interesting details; showing how superficially Mr. Stirling's predecessors had examined the records of the emperor's residence at Yuste. Still, in his account the author had omitted the most important feature of Charles's monastic life,—the influence which he exercised on the administration of the kingdom. This was to be gathered from the manuscripts of Simancas.

"Mr. Stirling, who through that inexhaustible repository, the Handbook of Spain, had become acquainted with the existence of the Gonzalez MS., was, at the time of writing his essays, ignorant of its fate. On learning afterwards where it was to be found, he visited Paris, and, having obtained access to the volume, so far profited by its contents as to make them the basis of a separate work, which he entitled 'The Cloister Life of Charles the Fifth.' It soon attracted the attention of scholars, both at home and abroad, went through several editions, and was received, in short, with an avidity which showed both the importance attached to the developments the author had made, and the attractive form in which he had presented them to the reader.

"The Parisian scholars were now stimulated to turn to account the treasure which had remained so long neglected on their shelves. In 1854, less than two years after the appearance of Mr. Stirling's book, M. Amédée Pichot published his '*Chronique de Charles-Quint*,' a work which, far from being confined to the latter days of the emperor, covers the whole range of his biography, presenting a large amount of information in regard to his personal habits, as well as to the interior organization of his government and the policy which directed it. The whole is enriched, moreover, by a multitude of historical incidents, that may be regarded rather as subsidiary than essential to the conduct of the narrative, which is enlivened by much ingenious criticism on the state of manners, arts, and moral culture of the period.

"It was not long after the appearance of this work that M. Gachard, whom I have elsewhere noticed as having been commissioned by the Belgian government to make extensive researches in the Archives of Simancas, gave to the public some of the fruits of his labours, in the first

volume of his '*Retraite et Mort de Charles-Quint.*' It is devoted to the letters of the emperor and his household, which form the staple of the Gonzalez MS.; thus placing at the disposition of the future biographer of Charles the original materials with which to reconstruct the history of his latter days.

"Lastly came the work, long expected, of M. Mignet, '*Charles-Quint; son Abdication, son Séjour, et sa Mort au Monastère de Yuste.*' It was the reproduction, in a more extended and elaborate form, of a series of papers the first of which appeared shortly after the publication of Mr. Stirling's book. In this work the French author takes the clear and comprehensive view of his subject so characteristic of his genius. The difficult and debatable points he discusses with acuteness and precision; and the whole story of Charles's monastic life he presents in so luminous an aspect to the reader as leaves nothing further to be desired.

"The critic may take some interest in comparing the different manners in which the several writers have dealt with the subject, each according to his own taste or the bent of his genius. Thus, through Stirling's more free and familiar narrative there runs a pleasant vein of humour, with piquancy enough to give it a relish, showing the author's sensibility to the ludicrous, for which Charles's stingy habits and excessive love of good cheer, even in the convent, furnish frequent occasion.

"Quite a different conception is formed by Mignet of the emperor's character, which he has cast in the true heroic mould, not deigning to recognize a single defect, however slight, which may at all impair the majesty of the proportions. Finally Amédée Pichot, instead of the classical, may be said to have conformed to the romantic school, in the arrangement of his subject, indulging in various picturesque episodes, which he has, however, combined so successfully with the main body of the narrative as not to impair the unity of interest.

"Whatever may be thought of the comparative merits of these eminent writers in the execution of their task, the effect of their labours has undoubtedly been to make that the plainest which was before the most obscure portion of the history of Charles the Fifth."

I may add to this account that, since the publication of the History of Philip the Second, M. Gachard has given to the world his second volume of the "*Retraite et Mort de Charles-Quint,*" containing some additional information of interest in regard to Charles's convent life, by which I have not failed to profit.

BOOK I.

The Convent of Yuste—Charles's Departure from the Netherlands—His Voyage to Spain—His Progress through the Country—Reception at Valladolid—Journey to Jarandilla—His Residence there—Discontent of his Household—His Visitors—Pernicious Indulgence of his Appetite—His Removal to Yuste.

The emperor Charles the Fifth had conceived the design of resigning his sceptre, and withdrawing from the world, many years before he put it into execution. This appears from a conversation which he had soon after his abdication with the Portuguese envoy, Lorenzo Pires de Tavora, in which the emperor remarked that soon after the capture of Tunis, in 1535, he had formed the purpose of abdicating his crown. This was in the prime of life, in the meridian of his glory, when his arms had just been crowned with a brilliant victory. The despondency into which he was thrown by the death of his beautiful and beloved consort, Isabella of Portugal, some five years later, heightened still further his disgust with the world. The tender age of his son, Philip, induced him to defer the immediate execution of his plan, which was still further postponed by the weighty affairs that pressed on him, and especially by the religious wars in which he was involved in Germany. When at length the hour of his abdication did arrive, it found him broken in health, and with spirits greatly depressed by the series of reverses which had gathered like dark clouds round the evening of his reign. He lamented to the Portuguese ambassador that he had not earlier taken this step, when he could have done it so much more gracefully, while his fame was not yet tarnished by defeat.

The place selected by Charles for his retreat was the Jeronymite monastery of Yuste, in Spain, situated at the base of a mountain-ridge that traverses the north of Estremadura. The order of St. Jerome is Spanish in its origin, which dates as far back as the latter part of the fourteenth century. Humble in its beginning, it soon rose, under the patronage of princes and the benefactions of the pious, to high consideration. Its domains extended over every part of the Peninsula, and its convents, occupying the most picturesque situations, sometimes assumed the aspect, and almost the dimensions, of castellated towns. The growing reputation of the brotherhood kept pace with the prosperous condition of their fortunes. If in point of scholarship they could not boast such names as some other fraternities, they might challenge a comparison with any for the decorum, and even sanctity, of their lives, for the pomp and splendour of their religious services, and for the munificence with which they dispensed their charities to the poor. Ferdinand the Catholic, by no means prodigal of his money, even towards the Church, endowed more than one monastery of the order. Charles the Fifth honoured it still further by selecting Yuste, as we have seen, for the place of his retreat; and Philip the Second distinguished it from every other fraternity by lodging its members in the palace-convent of the Escorial.

The community at Yuste was among the most ancient houses of the order, dating from the year 1404. The name, which some writers have incorrectly called St. Just, or St. Justus, was derived from no saint, but from a little stream that gushed from the neighbouring hills. The handful of monks, of which the convent consisted at the beginning, were sorely annoyed by the depredations and insults to which they were exposed from a neighbouring monastery of a rival order. They were subsequently placed by their superior under the protection of the counts of Oropesa, who possessed large patrimonial estates in that quarter of the country. In process of time the little community grew in opulence and strength so as to be able to protect itself. Its broad acres extended far over the cultivated *vera;* its convent was surrounded with orange-gardens and orchards; the buildings gradually expanded from diminutive cloisters into the ampler dimensions required for the accommodation of the increased number of the inmates, and not long before the arrival of Charles had been enlarged by a spacious quadrangle, that displayed the more elegant style of architecture which had been recently introduced from Italy.

In the hour of their prosperity the monks of Yuste fully vindicated the reputation for hospitality belonging to their order. Their doors were freely opened to the pilgrim; their board was bountifully spread for the poor who claved alms at the convent gate; and the good brethren, to whom long practice had given a skill that almost amounted to science, were never weary of administering relief to the sick and the infirm.

How Charles came to choose this secluded spot in Estremadura as the place of his retreat is not very clear. There is no evidence that he had ever seen it. Yet, as he is known to have resided more than once in its neighbourhood, he may possibly have strayed over the beautiful *vera*, or at least have gathered such reports of it from those in the country as pleased his fancy. And certainly it was the place of all others best suited to his purpose. Nestling among the dark forests of oak and chestnut that clothed the sides and descended to the lower slopes of the sierra, the convent of Yuste looked down on the cultivated plain which stretched for some leagues in an unbroken expanse towards the city of Plasencia. In the depths of these sylvan solitudes the monarch might indulge in all the luxury of a life of quiet contemplation, while he would not be too far removed from means of intercourse with the world, with which, as we shall see hereafter, he was still, in his retirement, to maintain a lively sympathy.

Charles had obtained a plan from two of the best architects in Spain for the construction of such a dwelling, to be attached to the convent, as should answer for the accommodation of himself and the few followers who were to accompany him to his retreat. He had advised Philip of his intention to build, and afterwards had directed his son to visit the spot in person and quicken the operations of those who had charge of the work. But it was not in the power either of Charles or Philip to change the laws of nature, or to accelerate the sluggish movements of the Spaniard. More than two years had elapsed, and, though the plan of the building was extremely simple, the work was far from being completed. The emperor's impatience could brook no further delay. But there was good reason to fear that on his arrival at Yuste the mansion would not be ready for his reception.

On the eighth of August, 1556, Charles quitted Brussels and took his way to the port of Flushing, where a fleet of fifty-six vessels was waiting to escort him and his retinue to Spain. He was accompanied by a number of Flemish ords, some few of whom were to attend him on his voyage. Among these was Florence de Montmorency, baron of Montigny, the unfortunate nobleman

afterwards doomed by his sovereign to an obscure and ignominious death. In the company were also two sisters of the emperor, the dowager queens of Hungary and Portugal. The former and younger of these, Mary, had lately held the post of regent of the Netherlands, where her vigorous rule had for many years put a curb on the free and independent spirit of the people. In her masculine qualities she formed a striking contrast to her amiable sister, the once beautiful Eleanor, the ill-assorted bride of Francis the First, and, after his death, married to the king of Portugal, whom she had also survived. She was a year older than the emperor, who had always regarded her with peculiar affection, which he intimated in his correspondence by usually addressing her as "*ma meilleure sœur.*" The royal ladies, who held their brother in the greatest reverence, like him were weary of the world, and wished for the remainder of their days to enjoy the sweets of domestic privacy. They would have accompanied Charles to his place of retirement. But, as that could not be, they proposed to seek out some quiet spot in the Peninsula, as little removed as might be from the monastic residence of the emperor.

The imperial train was yet further swelled by a considerable number of followers, who were to be permanently retained in the service of the monarch. The emperor's household had been formed on the splendid model of the Burgundian court. It had consisted of no less than seven hundred and sixty-two persons. From these he now selected one hundred and fifty to attend him to Spain, of whom somewhat more than a third were to remain with him at Yuste. Among the number were his major-domo, his physician, his secretaries, his chamberlains, and other functionaries, intimating that, though he had chosen a monastery as the place of his residence, he had no intention of leading the life of a monk.

Philip joined his father at Ghent.[1] There the emperor, tenderly embracing his son, bade him adieu, and left him to assume that burden of sovereignty which had pressed so heavily on his own declining years. Charles continued his way to the coast, where, on the thirteenth of September, he embarked on board the Bertendona, a Biscayan vessel of five hundred and sixty-five tons, which had been fitted up expressly for his accommodation. The emperor's cabin, which was on the upper deck, consisted of two large apartments, and two smaller rooms, or cabinets. It was furnished with eight windows, which commanded views in every direction. The wood-work was curiously carved, and hung with green drapery. The bed, as well as some of the heavier armchairs, was suspended by ropes from the ceiling, that the emperor's gouty limbs might be as little incommoded as possible by the motion of the vessel. On the same deck accommodations were provided for some of his principal attendants; while below, ample space was allotted to the royal kitchen, and to the larder, which was bountifully supplied with stores for the voyage.

His two sisters, with their retinues, had quarters prepared for them in a Flemish vessel. On the thirteenth the fleet weighed anchor, but, encountering a head-wind, was detained at Rammekens, where Charles, on the morning of the seventeenth, received a final visit from his son, who had lingered at Ghent. On the afternoon of the same day the fleet took its departure.

It was on the seventh of September, 1517, thirty-nine years before this, that Charles had quitted these same shores on a visit to Spain, whither he was

[1] So says Vandernesse, in opposition to some other authorities. His name, however, outweighs them all. He filled an important office in the household of the emperor, and afterwards in that of his son. His work, which is a simple itinerary, is still in manuscript, and copies of it are not readily met with. My own copy is from a manuscript in the Imperial Library of Vienna.

going to receive the rich inheritance which had descended to him from his grandparents, Ferdinand and Isabella the Catholic. He was then in the morning of life, just entering on a career as splendid as ever opened to young ambition. How different must have been the reflections which now crowded on his mind, as, with wasted health, and spirits sorely depressed, he embarked on the same voyage! He had run the race of glory, had won the prize, and found that all was vanity. He was now returning to the goal whence he had started, anxious only to reach some quiet spot where he might lay down his weary limbs and be at rest.[2]

In passing through the Channel, the course of the fleet was again interrupted by contrary winds. While it lay off Dover, the lord high admiral came out with a squadron of five ships, desirous to pay his respects to the father-in-law of his queen. He was received on board, and permitted to kiss the emperor's hand. A favourable breeze sprung up as the fleet neared the Isle of Wight, and, continuing to blow for several days, enabled Charles to hold his course without further delay till he reached the coast of Spain. Fortunately, the propitious state of the weather allowed the emperor to effect his landing without inconvenience, on the twenty-eighth of September, in the ancient port of Laredo. But scarcely had he set foot on shore when the wind freshened into a tempest, which scattered his little navy, compelling the ship bearing the queens to take refuge in the neighbouring port of Santander, and doing much damage to some merchant-vessels off the coast, one of which, with its crew on board, went to the bottom. This disaster is so far embellished by the chroniclers of the time, that, giving a touch of the marvellous to the account, they represent the lost ship to have been the emperor's, and that it went down as soon as he had left it. If this were so, it would be still more marvellous that no allusion to the circumstance should be found in any of the letters—of which we have several—from members of Charles's household while at Laredo.

As little do we find mention made of another extraordinary circumstance reported by the historians, who tell us that the emperor, on landing, prostrated himself on the earth, exclaiming, "O thou common mother of mankind, naked came I from thy bosom, and naked I return to it!" The incident, however edifying in the moral it may convey, has no better foundation than the invention of writers, who, far removed from the scene of action, and ignorant of what really took place there, were willing, by the exhibition of startling contrasts, to stimulate the imagination of their readers.

Charles, on landing, found his patience put to a severe trial by the scanty preparations made for his reception. An epidemic had broken out on the voyage, which had carried off several of the men, while others remained dangerously ill. There were no physicians in Laredo, and scarcely accommodations for the well, much less for the sick. The emperor had directed that six chaplains should be there to meet him. Their spiritual services, in the present state of his followers, were more than ever required. He had expected, moreover, to find a considerable sum of money for the payment of the fleet and for defraying the expenses of the voyage. There was nothing of all this to be seen. The only persons in waiting for him were an alcalde named Durango, with a posse of alguazils, and the bishop of Salamanca. If it had not been for the active exertions of the good prelate, it would have been difficult for the royal party to procure the means of subsistence.

Charles gave audible vent to his displeasure at this apparent neglect; his feelings were exhibited in a manner not to be mistaken in the letters addressed by his orders to Valladolid, where his daughter Joanna, the regent, was holding

[2] I am indebted to Gachard for the suggestion of this striking contrast.

her court. This neglect of a father who had so recently given all that he had to Philip has brought much obloquy on his head. But it would seem to be undeserved. On the fourteenth of May he had written to his sister, the regent, informing her of the emperor's speedy return to Spain, and directing her to have everything in readiness for him on his landing. These commands he had repeated in a second letter, dated the twenty-sixth of August. He had been particular in his instructions, specifying the six chaplains and the money for the fleet, and enjoining on his sister to make such arrangements as were due to their father's rank and would best secure his personal comfort. These directions he had repeated yet again in a third letter, written September the eighth, shortly before Charles's embarkation. Philip, at his distance from the scene of action, could do no more.

Joanna, on receiving these instructions from her brother, gave orders at once to carry them into effect. But, with the procrastinating habits of the Spaniards, it was much easier to command than to execute. Yet some of the blame may be reasonably laid at the emperor's own door, who, had he come earlier, might possibly have found things in a better state of preparation. But he had postponed the period of his return so often that the minds of his subjects were unsettled by the delay; and when at last he did come, they were taken unawares.

When Joanna received the letter announcing her father's presence in the country, she at once caused thanks to be offered up in the churches for his safe arrival. At the same time she despatched a messenger to the emperor's major-domo, Don Luis Quixada, then residing on his estate in the neighbourhood of Valladolid, ordering him to proceed with all expedition to the coast and make the necessary arrangements for his master's journey to the capital. He was especially to ascertain in what manner her father wished to be received at court,—whether with the honours due to his rank, or simply as a private citizen. As this personage is to occupy a prominent place in the remainder of our narrative, it will be well to acquaint the reader with some particulars of his history.

Luis Mendez Quixada belonged to an ancient and honourable family; but, as he was a younger son, the family name was the best part of his inheritance. His first introduction at court was as a page in the imperial household. He afterwards entered the army, received a commission as captain of infantry, and in time rose to the rank of colonel. He followed the emperor to the wars, and distinguished himself on various occasions by his gallantry. He was a strict martinet, and was remarked for the perfect discipline which he maintained among the men under his command. The emperor, with whose acute perception of character the reader has become acquainted, did full justice to the excellent qualities, and especially the trustworthiness and loyal devotion, of Quixada. He was appointed one of the three major-domos who formed part of the imperial household. In his new capacity he was brought into frequent intercourse with his master, who soon bestowed on him more of his confidence than he gave to any other man. At least this is true in one remarkable instance. Charles intrusted to his care his illegitimate son, Don John of Austria, the famous hero of Lepanto, when a child of three years of age, at the same time confiding to Quixada the secret of his birth. The major-domo was married to Doña Magdalena de Ulloa, a lady of illustrious lineage, which she graced by virtues so rare as to be commemorated in a special biography, that has expanded into a respectable quarto under the hands of one of her countrymen. Doña Magdalena took the boy to her home and her heart, supposing him the fruit of some early amour of her lord's, previous to his marriage. Quixada

did not think proper to undeceive the kind-hearted lady, and faithfully kept the perilous secret, which he may have thought was the emperor's secret rather than his own. Under her maternal care the young hero, who always regarded his foster-mother with grateful affection, was carefully trained in those accomplishments which fitted him for the brilliant career on which he was afterwards to enter.

Quixada was a fine specimen of the old Spanish hidalgo. Proud, punctilious, precise in his notions, he was as nice in the point of honour as any paladin of romance. He was most orthodox in his creed; but, though a true son of the Church, he had no respect for monks, as he showed rather plainly during his residence at Yuste. His nature was frank and honest; and, as he seems to have been somewhat querulous in his temper, he delivered his mind occasionally with a freedom that had in it something less of courtesy than candour. For the emperor he had the greatest reverence. This did not, however, prevent him from addressing his master at times with a degree of plainness to which the royal ear was but little accustomed. Charles had the good sense not to be displeased with this frankness, for he well knew the sincerity and the strength of Quixada's attachment. He had been, moreover, too long on the throne not to know that truth was the jewel of greatest price and the one most rarely to be found in the palaces of princes. Once, writing to his son concerning his preceptor, Zuñiga, the emperor remarked, "If he deals plainly with you, it is for the love he bears you. If he were to flatter you, he would be like all the rest of the world, and you would have no one near to tell you the truth; and a worse thing cannot happen to any one, old or young." When Charles had made up his mind to return to Spain, he settled on Quixada as the most suitable person to make the arrangements for his journey through the country and afterwards to take charge of his establishment at Yuste. The result justified his choice.

On receiving the regent's letter, the major-domo at once threw himself into his saddle and posted with all expedition to the coast. Notwithstanding the bad condition of the roads, he performed the journey of fifty-five leagues in something less than three days, making arrangements, as he went along, for the emperor's reception.

Quixada's arrival at Laredo was greeted with joy by the whole party, and by none more than Charles, who seemed to feel that in the presence of his major-domo all difficulties would speedily vanish. No time, indeed, was lost; for on the day following, the sixth of October, the emperor and his suite were on the way to Valladolid. As the road frequently passed across rough and hilly tracts of uncultivated country, the emperor travelled in a horse-litter, and over the more difficult passages was borne by his attendants in a chair. Quixada rode by his side; and the rest of his train followed on horseback. A long file of mules, with the baggage, brought up the rear. The van was led by the alcalde, Durango, and his posse of alguazils, giving to the whole procession, as Quixada thought, much the appearance of a gang of prisoners under the convoy of officers of justice. The two queens, with their retinues, followed at the distance of a day's march in the rear, to obviate the annoyance that might arise from the want of accommodations for so large a party. For the greater convenience of Charles, who could ill endure the fatigue of so long a journey, he proceeded by short stages, seldom exceeding four or five leagues in a day.

As the cavalcade advanced into the country, and the tidings spread abroad of the emperor's return, great numbers assembled on the route to take their last look at their sovereign. At all the principal places where he halted, he was met

by the great lords of the neighbourhood, and by deputations from the council and from the authorities of the cities. As he drew near to Burgos, the great constable of Castile, attended by a gallant retinue of followers, came out to meet him. He would fain have persuaded the emperor to allow arrangements to be made by the inhabitants for giving him a solemn reception; but this he positively declined. The evening had set in before Charles entered the ancient city of the Cid. He was not allowed to do this with the privacy he had desired; and, as he passed through its illuminated streets, the bells of the churches sent forth a merry peal to give him welcome. He was conducted by the constable to his own mansion, the hereditary halls of the Velascos. While there, the admiral of Castile, the duke of Infantado, and the principal grandees who resided in that quarter, with others, like the duke of Medina Sidonia and the duke of Medina Celi, whose estates lay chiefly in the south, came to pay their obeisance to their ancient master. Deputations arrived from the chancery of Valladolid, and from the different cities, bearing loyal addresses from their municipalities. After enjoying for two days the hospitalities of the constable, Charles again set forward on his journey. He was attended for some distance by his host; and Don Francès de Beamonde, at the head of a strong escort, accompanied him the remainder of the way to Valladolid. This arrangement gave great satisfaction to Quixada, as it enabled him to dispense with the further attendance of the alcalde and his posse.

On the third evening after they had quitted Burgos, the travellers halted at Torquemada, a town pleasantly situated in the midst of a rich and cultivated country. Here the emperor was met by Don Pedro de la Gasca, bishop of Palencia. This eminent prelate had been intrusted by Charles with an extraordinary mission to the New World, when the rebellion of Gonzalvo Pizarro threatened Spain with the loss of Peru. Gasca, with signal ability and address, succeeded in quashing the insurrection, in defeating its leaders and bringing them to punishment, and, finally, in reclaiming the tottering allegiance of the inhabitants, thus securing to Castile the fairest of her colonies. In return for these services he had been raised by Charles to the see of Palencia. On learning his sovereign's approach, the good bishop sent a liberal supply of poultry, fruit, and wine for the refreshment of the royal party, and on the following morning came in person to pay his homage to the emperor.

At Cabezon, a place about two leagues from Valladolid, Charles had the satisfaction of meeting his grandson, the infant Don Carlos, that unfortunate prince, whose brief but disastrous career forms so melancholy a page in the chronicles of the time. The boy, who was then eleven years old, had been sent from Valladolid to meet his grandfather. One may well believe that it was with no little interest that Charles regarded his descendant, the heir to the monarchy. He had Carlos to sup with him at his own table; and, as the lad showed much curiosity in regard to military affairs, the emperor entertained him with an account of his campaigns. When he described his flight from Inspruck, Carlos exclaimed, "I never would have fled." His grandfather endeavoured to convince him of the necessity of flight in order to avoid falling into the enemy's hands. But the boy only repeated, with more earnestness than before, "*I* never would have fled,"—greatly to the delight of the emperor, who saw in this the mettle of his own earlier days.

But the penetrating eye of Charles was not slow in discerning other traits in his grandson's character, which filled him with apprehension. "He seems very restless," said the emperor: "neither his behaviour nor his temper pleases me. I know not what is to become of him." The young prince was much taken with a little portable stove, which his grandfather carried with him, in

default of fireplaces, to warm his apartment. Carlos would willingly have appropriated this article to himself; but the emperor gave him to understand that this could not be till he was dead. The care of the prince's education had been intrusted to his aunt, the regent. Charles, when he saw his daughter in Valladolid, plainly told her that "if she showed less indulgence to the child the nation would have more reason to thank her."

Along the route by which the emperor travelled, people had assembled in great numbers to see him pass. There were two roads from Cabezon by which the capital was to be approached. One was more retired than the other; and some of Charles's suite, knowing his aversion to crowds, would fain have persuaded him to take it. He determined to do so, when the honest Quixada represented "that it would not be right to hide himself from his loyal subjects, who wished to look on him for the last time." The major-domo prevailed; but Charles would by no means consent that preparations should be made for giving him a public reception in Valladolid. This might be done, he said, for his two sisters, who accordingly made their entrance in great state into the capital, escorted by a brave procession of nobles and cavaliers, headed by the authorities of the city.

Valladolid was at this time, as indeed it had been for many years, the residence of the court. In this pre-eminence it had succeeded Toledo, the ancient capital of the Visigoths. It was not till the reign of Philip the Second that it lost this distinction, and the seat of government was transferred to Madrid, which thenceforth became the permanent capital of the monarchy. Valladolid was at this time, therefore, in the zenith of its glory, embellished with stately public buildings, and filled with the palaces of the great nobles, who naturally sought a residence in the neighbourhood of the court.

Charles was received in the most loving and dutiful manner by his daughter, who conducted him to the mansion of Ruy Gomez de Silva, Philip's favourite minister. This the emperor preferred to taking up his quarters in the royal palace, which was consequently assigned to his sisters. He spent some time in the fair city, enjoying the society of his daughter, and recruiting his strength after the fatigues of his journey. During his stay, his house was thronged with visitors, among whom we find some of the principal grandees, and such of the prelates as were at the court. These attentions were the more grateful to Charles since, now that he had resigned the sceptre, they carried with them the appearance of being rendered to the man rather than to the monarch. The members of the council, the corregidor, and the municipality obtained an audience of their ancient master, and were permitted to kiss his hand. To all he showed that gracious deportment which he knew so well how to assume, and which contrasted strongly with the impassible reserve—the *sosiego*, as the Spaniards term it—which had so chilling an effect on those who were admitted to the presence of his son. The ladies of the court, who came to take leave of him, were received by Charles with the same distinguished courtesy. It was on one of these occasions that Pedro de Sant Erbas, one of that privileged class of fools, or rather wits, who in ancient times were the necessary appendage of a court, happening to pass across the saloon, Charles, in a merry vein, touched his cap to him. "You are welcome," said the jester: "do you raise your hat to me because you are no longer emperor?" "No, Pedro," replied Charles: "but because I have nothing but this poor courtesy to give you."

Among those who waited on the monarch were three of the brethren from Yuste, and at their head the general of the order. The good father acquainted him with the progress that had been made in the works at Yuste. He assured him, moreover, of the great satisfaction felt by the fraternity that his majesty

should have condescended to choose their abode as the place of his retreat. With the assistance of these monks, Charles was enabled to select from the different convents of the order such individuals as were best qualified to conduct the service of the chapel, as well as those whose piety and learning fitted them to officiate as his preachers,—persons, in short, who might form what may be called the religious part of his establishment.

During his stay at Valladolid, the emperor attended to the despatch of some important affairs of a public nature. He had daily communication with his daughter, and gave her the benefit of his large experience in administering the government of the kingdom. It was evident that, if he was willing to follow the example of Diocletian in withdrawing from the world, he had no mind, like that monarch, to divorce himself from the great interests of humanity.

After prolonging his stay for a fortnight in Valladolid, Charles prepared to resume his journey. On the fourth of November he consented, for the last time, to the ceremony of dining in public. On that same afternoon he took an affectionate leave of his daughter and his grandson, and of his two sisters, who were to accompany him no farther. He was attended by a large train of nobles and cavaliers to the gates of the city, where he courteously dismissed them, though many would gladly have followed him on his route. He accepted, however, the escort of a small body of mounted horsemen and forty halberdiers, who were to continue with him till he arrived at Yuste.

In quitting Valladolid, Charles seemed to turn his back for ever on the pomps and glories of the world, and in the separation from his family to sever the last tie which bound him to life. He travelled in a litter, and by easy stages, as before. The second night he passed at the ancient town of Medina del Campo, famous as the spot which witnessed the last hours of the greatest and best of his ancestral line, Isabella the Catholic. He did not, however, occupy the royal residence, which probably had not been made more comfortable by age, but took up his quarters for the night with a wealthy banker, named Rodrigo de Dueñas. This person, whether to display his riches or to do honour to his illustrious guest, had the emperor's apartment warmed by a brazier of solid gold, which, instead of the usual fuel, was fed with sticks of cinnamon. The perfume of the cinnamon was disagreeable to Charles, who, when he went away on the following morning, in order to rebuke the ostentation of his host, would not permit him to kiss his hand, and caused him, moreover, to be paid for the night's lodging, like any ordinary innkeeper. Yet Charles gave no such sign of displeasure at the similar compliment which he had once received from the Fuggers, the famous bankers of Germany. On his return from his memorable expedition against Tunis, for which they had advanced him considerable sums of money, Charles spent the night at their house at Augsburg; and his hosts filled the brazier in his chamber, in like manner, with cinnamon. But, to show their gratitude for the service the emperor had rendered Christendom in breaking up the nest of Barbary pirates, they threw Charles's receipts for the money they had lent him into the fire, which so far qualified the odour of the cinnamon that it gave no offence to the royal nostrils.

As the travellers penetrated farther into the interior, and left the great world behind them, Charles felt in anticipation all the luxury of the retirement to which he was hastening. "Heaven be praised!" he exclaimed, "after this no more visits of ceremony, no more receptions!" Their route lay in a southerly direction; but, as it wound round the base of the mountain-range that, in its course from east to west, traverses the central parts of the Peninsula, the keen air chilled the emperor, who, from his delicate tempera-

ment, was extremely sensitive to cold. As the luxury of fireplaces was a thing unknown in these parts, he was obliged to keep himself warm by means of his portable stove. Everywhere along the route the people gave all the proofs in their power of the most loyal devotion. They aided his progress by clearing away the obstacles in the road, which became worse and worse as it was farther removed from the great highways of the country. They knew Charles's tastes; and they searched the streams for trout, eels, and other fish, of which he was extremely fond, and with which his table was liberally supplied whenever he halted.

On the twelfth of November the emperor reached Tornavacas, a small place near the northern confines of Estremadura. It was separated by a bold sierra from the *Vera*, or Valley, of Plasencia, on the border of which stood the monastery which was the object of Charles's pilgrimage. The *Vera* was to be approached in two ways. One was by scaling the mountain-barrier that separated it from Tornavacas. This might be done in a few hours; but the road, if so it could be called, which was little more than a path affording means of communication for the peasantry of the neighbourhood, was rugged and precipitous. A more easy way would lead the travellers along the winding Xerte to the city of Plasencia, from which the route lay across a smooth and level plain, that stretched nearly to the walls of Yuste. This, however, would add four days to the journey; and Charles, wearied with his long-protracted travel, determined, with characteristic energy, to brave the dangers of the mountain.

Early on the following morning he began the ascent, which was quite as formidable as it had been represented. Fortunately, he was assisted by the peasantry, who were familiar with the route. A band of these hardy rustics went before, armed with pikes, shovels, and other instruments, to clear away the rubbish in the path. The mountain-sides had been cut into deep gullies by the winter torrents, which had swept down large fragments of trees from the forests above, and occasionally laid bare a huge splinter of the rock, that seemed to defy all farther progress. The narrow path, winding round the edge of dizzy precipices, afforded a precarious foothold, where a single false step might be fatal to the traveller. It was a formidable adventure even for the unencumbered pedestrian, and was rendered the more difficult in the present instance by the helpless condition of the emperor. The peasants relieved the attendants of their royal burden, which might have proved too much for them. They succeeded one another in the task of bearing the litter; while the faithful Quixada, armed with his long pike, strode by its side and gave general directions for conducting the operations. In the worst parts of the road the emperor was obliged to be borne in his chair; and occasionally the sturdy rustics carried him in their arms.

At length, after some hours of excessive toil, the party reached the most elevated point of their route; and, as they emerged from the dark defiles of the *Puerto Nuevo*,—since called "The Emperor's Pass,"—he exclaimed, "It is the last pass I shall go through in this world, save that of death."

The descent was comparatively easy; and Charles's eyes were soon gladdened by the sight of the beautiful *Vera* and its bright carpet of verdure, which had not yet begun to fade under the cold touch of autumn. An occasional hamlet, glistening in the distance, relieved the unbroken character of the expanse, terminated on the west by the stately city of Plasencia. Nearer by several leagues might be dimly descried the grey walls of Yuste, half hidden among the groves of chestnut which fringed the skirts of the sierra.

As Charles's dwelling was not yet fit for his reception, it was decided that

he should remain for the present at Jarandilla, a village two leagues east of Yuste, where there was a castle belonging to the count of Oropesa, a nobleman who, as already mentioned, had large estates in the neighbourhood. It was a lordly pile, the ruins of which are yet to be seen; while the emperor's temporary residence there is commemorated by a fountain in the garden which still bears his name.

Charles met with the most hospitable reception from its loyal master, who had prepared for his accommodation a spacious apartment, with a pleasant aspect towards the south, looking down upon a garden of citron and orange trees. The weather was fine; and, notwithstanding the fatigues of the day, the emperor, pleased with the spot, was in excellent spirits. In the midst of this fine weather at Jarandilla, the Flemings could see, from the windows of the castle, dense masses of vapour rolling lazily along the sides of the mountain where Yuste was situated. Soon the cool nights of autumn began to make themselves felt. The emperor, accustomed to the use of fireplaces in Flanders, exchanged his apartment for one where he had caused a chimney to be made. Soon afterwards, the count of Oropesa, surrendering his castle entirely to the use of his royal guest, withdrew to another residence on a distant quarter of his estates.

As winter approached, the rainy season set in. The streets of Jarandilla were saturated with water; and the poor major-domo with difficulty waded through the mire in the performance of his duties, which required him to provide for the accommodation of the imperial retinue. To add to his vexation, the village was but scantily provided with the means of supporting so large and unexpected an addition to its usual population. The querulous tone of Quixada's letters shows the perplexities of his situation. Yet it was impossible for Charles to abridge the number of his retinue until he was supplied with the means of paying their arrears by a remittance from Valladolid. The emperor's household cast many a rueful glance at the damp and desolate spot which he had selected for his abode, where the constant humidity of the atmosphere, they argued, boded no good to the infirmities of their master. Quixada did not hesitate to intimate as much to him. But the emperor answered that, "in all parts of Spain where he had been, he had found that it was cold and rainy in the winter."

The major-domo and the secretary, Gaztelu, unbosomed themselves more freely in their correspondence with the secretary of state at Valladolid. They vented their discontent in the most doleful prognostics of the influence of such a climate on the emperor's constitution, speaking at the same time in no very flattering terms of the accommodations provided for him at the convent, and of the character of its inmates. They requested that their complaints might not reach the ears of the regent; but in some way or other the emperor's family became so far persuaded of their truth that his sister, the queen of Hungary, wrote to beg him not to take up his residence at Yuste. Charles, though somewhat annoyed by this interference with his plans, good-humouredly wrote in answer that "the lion was not so terrible as he was painted."

It is strange that those who knew him so well should have thought so easily to turn him from his purpose. Slow to an uncommon degree in deciding on his measures, when these had been once settled no power on earth was strong enough to make him change them. He was aware of this trait in his character, and once spoke of it to the Venetian Contarini. The courtly envoy observed, it was not obstinacy to adhere to sound opinions. "True," replied Charles; "but I sometimes adhere to those which are unsound."

Towards the latter part of November he availed himself of a day somewhat

more propitious than usual to cross over to Yuste and examine the condition of the works with his own eyes. He professed to be well pleased with the appearance of the place and with the arrangements for his accommodation. He even gave directions to provide for more than double the number of persons he had originally designed to lodge there; and when Brother Roger, to whom the charge of making the arrangement was intrusted, ventured to suggest the impossibility of providing accommodations for so large a number, Charles silenced him by telling him "to do as he was bid, and not give his opinion in the matter." Charles's household came at length to comprehend that remonstrances, from whatever quarter, would have no effect to turn him from his purpose. "The emperor will never change his purpose," wrote the desponding secretary, "though heaven and earth should come together."

The rain now continued to fall without intermission, and with a degree of violence exceeding anything that the Spaniards had seen in other parts of the country. "As much water falls here in a single hour," wrote Quixada, "as in a whole day in Valladolid; in Yuste, they tell me, it is still worse." The secretary's report is not better. "The fogs," he writes, "are so thick that one cannot distinguish a man twenty paces distant." The emperor, who during the fine weather had strolled out for exercise and occasionally amused himself with his fowling-piece, was now imprisoned in his apartment, and could only keep himself warm by sitting in the chimney-corner, rolled up in his robe of eider-down, which had been sent to him by his daughter Joanna. Here he would sit, and listen greedily to the despatches which came from Brussels or Valladolid.

Spain was at that time engaged in a war with Paul the Fourth, a pontiff who, emulating the belligerent spirit of Julius the Second, converted his crosier into a sword and vowed to drive the barbarians out of Italy. Charles listened with the deepest interest to the accounts furnished him from time to time of the war, and of the victorious career of the duke of Alva. When Gaztelu had finished reading, he would ask, "Is there nothing more?" But when he heard of the truce made by the Spanish commander at the very time when the fate of Rome seemed to hang upon his sword, Charles's indignation knew no bounds. He would not so much as listen to the terms of the treaty, as his secretary tells us. "It was only giving time to the French," he said, "to unite their forces with those of the pope;" muttering other things between his teeth, not easy to be understood. He delivered his mind freely on the subject, in his letters both to Philip and Joanna. When the French war soon after broke out, he wrote in the most pressing manner to his daughter, urging the necessity of placing the frontiers, especially Navarre, in the best state of defence. He admonished her to strengthen the fleet on the coasts, to pay off the debt due to the German bankers, that the credit of the country, so important at such a crisis, might be maintained, and to provide for the security of the African possessions,—for that of Oran in particular, which, with a prophetic eye, he pointed out as a probable place of attack; "and were this to be lost," he added, "I should desire not to be in Spain, nor the Indies, nor anywhere on earth where tidings of an event so disastrous to the king and to the monarchy could ever reach me."

It was clear that Charles, if he had withdrawn from the world, was not weaned from a lively interest in whatever touched the welfare of the country. On this and other occasions he was ready to fortify the inexperience of his successor by those lessons of practical wisdom which had gained for him the reputation of being the shrewdest prince in Christendom. Philip often invited the emperor's interference in his concerns; and, to do him justice, he seems to

have shown the same deference to the opinions and wishes of his father in retirement that he had shown to him in the fulness of his power, when his wishes were commands.

The tedium of Charles's confinement to the house was occasionally relieved by the visits which he consented to receive from some of the nobles resident in the neighbourhood, who were desirous to pay their respects to him. The count of Oropesa, and his brother, who had been viceroy of Peru, were constant in their attentions. He found particular pleasure in a visit from Don Luis de Avila y Zuñiga, grand commander of the order of Alcántara. This remarkable man, after a long and successful career in public life, had come to pass the evening of his days at his princely residence in Plasencia. In his youth he had accompanied the emperor to the wars, and had fought by his side at Tunis and in the German campaigns, where he had achieved a high military reputation. He had subsequently served his master in a diplomatic capacity, and been intrusted by him with the conduct of some important negotiations. Finally, ambitious of gracing the trophies he had won both as a soldier and a statesman with the laurels of authorship, he wrote a history of the campaigns against the Protestants in Germany, in which he had himself performed so distinguished a part. The work was so successful that it passed through several editions in his lifetime, and was translated into various European languages. Charles showed the greatest kindness to his old companion in arms, whose presence may well have recalled to the emperor the proud days of his military renown, when victory was sure to wait upon his banner. And we may imagine that the conversation of the old campaigners must have turned much more on the stirring scenes of early life than on the sober, contemplative themes better suited to the character of the recluse.

Such themes formed a fitter topic for discussion with another of Charles's visitors, whom in younger days he had honoured with his friendship. This was the celebrated Francisco de Borja, formerly duke of Gandia, now a humble member of the Society of Jesus. Born in the highest rank of the Spanish aristocracy, he had early shown himself to be possessed of those refined and elegant accomplishments which in a rough age are less frequently to be found than the talents of the soldier or the statesman. But these talents also he possessed in an eminent degree. Charles, quick to discern merit in the meanest of his subjects, was not likely to be blind to it in one whose birth placed him in so conspicuous a position; and he testified his confidence in Borja by raising him to offices of the highest trust and consideration. But, although the latter fully justified his sovereign's favour by the ability with which he filled these offices, his heart was not in his business. An intense devotional feeling had taken possession of his soul. He became weary of the world and its vanities, and he proposed to abjure them, and to dedicate the remainder of his life to the great work of his salvation. With his master's consent, at the age of thirty-seven he resigned his ducal title and his large possessions to his eldest son, and entered the Society of Jesus, which, then in its infancy, had given slender augury of the magnificent fortunes that awaited it. Here the austerity of his life, the generous sacrifice he had made of worldly honours, and the indefatigable zeal which he displayed in carrying out the objects of the institution, gained him a reputation for sanctity that fell little short of that of Ignatius Loyola himself, the founder of the Jesuits. In time he became general of the order, being the third who filled that post; and there was probably no one of its members who did more to establish the reputation of the society, or to open the way to that pre-eminence which it afterwards enjoyed among the religious communities of Christendom.

Borja was at this time in the neighbourhood of Plasencia, where he was employed in superintending the establishment of a college for his order. On learning from the count of Oropesa that the emperor would be glad to see him, he instantly repaired to Jarandilla. When Father Francis "the Sinner"—for that was the humble name he had assumed—presented himself before Charles, he showed that his present way of life had not effaced from his memory the courtly observances of earlier days. He knelt down before the emperor, and in that attitude would have addressed him; but the monarch, raising Borja up, would not listen to him till he was both seated and covered. As the interview was private, we have no authentic account of the conversation that followed. It is said to have related chiefly to the character and circumstances of the new society which Borja had entered. The selection had not met with his master's approbation. Charles had seen the humble beginnings of an order in which his eye did not detect the seeds of future greatness. With the conservative feelings natural to a monarch and an old man, he was no friend to innovation.

The institution of the Jesuits had taken place at a time when the Church of Rome was trembling under the batteries of Luther. Its avowed purpose was to uphold the sinking fortunes of the papacy. But Charles, bigot as he was at heart, did not look at the new order with a more favourable eye that it came forward as the spiritual militia of the pope. More than once he had been at feud with the court of Rome; and Spain was at this very moment engaged in a war with the Vatican. He would willingly have persuaded Borja to leave the Jesuits and attach himself to the Jeronymites, among whom he was to establish his own residence.

His visitor went into a full discussion of the matter. He stated to the emperor the grounds of his preference, and explained at great length the principles on which the society had been organized, and the great objects it proposed. In the end, if he did not convert his auditor to his own way of thinking, which was hardly to be expected, he seems to have so far reconciled him to the course which he had adopted for himself that Charles desisted from any further attempt to make him change it.

Borja remained three days at Jarandilla, passing most of his time in the emperor's apartment. When he took his leave, the unusual compliment was paid him of being invited to repeat his visit after the emperor had removed to Yuste. We may readily conceive that the monarch must have taken much comfort in the society of one whose situation in many respects bore a strong resemblance to his own. For, like his master, Borja had resigned fortune, fame, exalted rank, all that men most covet, that he might dedicate the remainder of his days to Heaven. He had not, however, waited, like Charles, till disease and disaster had weaned him from the world, but had carried his plans into execution in the freshness of life, in the hour of ambition, when the race of glory yet remained to be run.

It was not altogether in the refined and intellectual pleasures of reading and social intercourse that Charles passed the time of his confinement. He had brought with him into retirement the same relish for the pleasures of the table which he had indulged through life. His appetite was excessive, rivalling that of Louis the Fourteenth, or Frederic the Great, or any other royal *gourmand* whose feats are recorded in history. The pertinacity with which he gratified it under all circumstances amounts to a trait of character. A Venetian envoy at his court, in the latter part of Charles's reign, tells us that, before rising in the morning, potted capon was usually served to him, prepared with sugar, milk and spices; after which he would turn to sleep again. At noon he dined

on a variety of dishes. Soon after vespers he took another meal, and later in the evening supped heartily on anchovies, or some other gross and savoury food, of which he was particularly fond. The invention of his cooks was sorely puzzled how to devise rich and high-seasoned dishes to suit his palate; and his *maître-d'hôtel*, much perplexed, told his discontented master one day, knowing his passion for time-pieces, that "he really did not know what he could do, unless it were to serve up his majesty a fricassee of watches." The reply had the effect of provoking a hearty laugh from the emperor,—a circumstance of rare occurrence in the latter days of his reign.

To wash down this extraordinary quantity of food, Charles drank in proportion. Iced beer was a favourite beverage with him, administered often the first thing on rising in the morning. When stronger potations were required, he had no objection to Rhenish wine. Roger Ascham, when in Germany, saw the emperor on St. Andrew's day, sitting at dinner at the feast of the Golden Fleece. "He drank the best," says Ascham, "that I ever saw. He had his head in the glass five times as long as any of us, and never drank less than a good quart at once of Rhenish." It was in vain that his physician remonstrated, and that his confessor, Cardinal Loaysa, with an independence which did him credit, admonished him to desist from the pernicious practice of eating and drinking to excess, reminding him that his Creator had not sent him into the world to indulge in sensual delights, but by his diligent labours to save the Christian commonwealth. Charles gave as little heed to the warnings of the divine as to those of the doctor. Unfortunately, his position enabled him too easily to obtain a dispensation from those fasts of the Church which might otherwise have stood him in good stead. In the end came the usual heavy reckoning for such indulgence. He was tormented with indigestion, bile, gout, and various other maladies that flesh—especially when high-fed and over-fed—is heir to. The gout was the most formidable of his foes. Its attacks were incessant. The man who had followed the chase without fatigue among the roughest passes of the Alpujarras, who had kept the saddle day and night in his campaigns, and had been esteemed one of the best jousters in Europe, was obliged at length, whenever he travelled, to be borne in a litter, like a poor cripple. Care and excessive toil had combined with his intemperate way of life to break down a constitution naturally robust; and, before he had reached the age of fifty, Charles was already an old man.

The same mischievous propensities accompanied him to his monastic retreat. In the almost daily correspondence between Quixada, or Gaztelu, and the secretary of state at Valladolid, there is scarcely a letter that does not turn more or less on the emperor's eating or his illness. The one seems naturally to follow, like a running commentary, on the other. It is rare that such topics have formed the burden of communications with the department of state. It must have been no easy matter for the secretary to preserve his gravity in the perusal of despatches in which politics and gastronomy were so strangely mixed together. The courier from Valladolid to Lisbon was ordered to make a détour so as to take Jarandilla in his route and bring supplies for the royal table. On Thursdays he was to bring fish to serve for the *jour maigre* that was to follow. The trout in the neighbourhood Charles thought too small; so others, of a larger size, were to be sent from Valladolid. Fish of every kind was to his taste, as, indeed, was anything that in its nature or habits at all approached to fish. Eels, frogs, oysters, occupied an important place in the royal bill of fare. Potted fish, especially anchovies, found great favour with him; and he regretted that he had not brought a better supply of these from the Low Countries. On an eel-pasty he particularly doted. Good supplies of

these savoury abominations were furnished from time to time from the capital by his daughter, who thus made amends for the remissness which, according to Gaztelu, she had shown in supplying the emperor's table on his journey through the country. Soles, lampreys, flounders, came in great quantities from Seville and Portugal. The country round Jarandilla furnished the *pièces de résistance*, in the form of pork and mutton, for the emperor's table. Game also was to be had in abundance. He had a lively recollection, however, of some partridges from a place belonging to the count of Ossorno, formerly sent to him in Flanders. The major-domo ordered some to be procured from the same quarter now. But Charles remarked "they did not taste now as they had formerly tasted." The olives of Estremadura were too large and coarse for his liking. Repeated directions were given to procure a supply from Perejon, the trader who had furnished some of a smaller and more delicate kind, and to obtain from him, if possible, the receipt for pickling them. One might have thought that the land of pork, in which, as we have seen, Charles was living, would be that of sausages; but he had not forgotten those which his mother, "now in glory," was in the habit of having made for herself in Tordesillas. There the secretary of state was directed to apply for some. In case he failed in that quarter, he could easily obtain a receipt for making them from the kitchen of the marquis of Denia. Unfortunately, as the major-domo laments, the sausages did not reach Jarandilla till Thursday night; and, as they could not by any construction come into the category of fish, the emperor was obliged to defer his addresses to them for four-and-twenty hours at least; possibly much longer, as the next letter records a sharp attack of gout.

The nobles in the vicinity, who knew Charles's weak side, sent him constantly presents of game and vegetables. The churchmen were equally attentive. The prior of Our Lady of Guadalupe, the archbishop of Saragossa, the bishop of Plasencia, and the archbishop of Toledo, were liberal in their contributions; the last prelate sending a caravan of mules laden with provisions for the supply of the emperor and his suite. The duchesses of Bejar and Frias, who lived in that quarter, testified their devotion to their ancient lord by presents of sweetmeats, confectionery, or some little ornament or article of dress. Among the presents received from the latter lady were some delicate gloves, then a greater rarity than now. Charles, casting a glance at his gouty fingers, remarked that "the duchess should have sent him hands to wear them." Quixada, who had complained of the scantiness of supplies on his first arrival at Jarandilla, as they now poured in so abundantly, drew the most doleful auguries of the effects on his master, who in his present state of inactivity might be thought hardly capable of meeting even the ordinary drafts on his constitution. But remonstrance, as the major-domo plaintively wrote to Valladolid, was of no avail. The result justified his prognostics.

On the twenty-seventh of December Charles had a severe fit of gout, which, beginning with his right hand and arm, soon extended to the neck, then to the left arm and hand, and then to the knees, until, in fine, crippled in all his limbs, unable so much as to feed himself, the emperor took to his bed, where he lay several days in great torment. He resorted to his usual remedies,—his barley-water, his yelks of eggs, and his senna-wine. This last nostrum was made of a decoction of senna that had been steeped for some months in a light wine of excellent quality. Indeed, the process took a year for its completion. This beverage he considered as possessed of such singular virtue that he had ordered the receipt for it to be forwarded from Flanders to the secretary of state at Valladolid, under whose care the preparation was to be

made. But it could not save him from other troubles; and, while the gout was still on him, he had an attack of fever and ague, attended by a sore throat that rendered him almost incapable of taking nourishment. This had one good effect, however; and Quixada comforted his master by telling him that "the best way to cure the gout was to keep the mouth shut."

The emperor's physician was a young man; and his daughter, the regent, sent him her own, as older and more experienced, to advise with him. Another of the faculty was also added from Italy, a man of some repute for the treatment of the disorders to which Charles was subject. He undertook to relieve the emperor of his gout; but he did not find his patient so tractable as could be wished. The Italian's first, very reasonable injunction was that he should give up his iced beer. But the emperor plainly told him "he would do no such thing." The doctor then remonstrated against the climate of Yuste, as altogether too damp. Charles intimated that he could leave it when he liked, saying that "he had not yet taken the vows." Quixada seems to have had an indifferent opinion of the doctor's skill, and perhaps of that of the faculty in general; for he remarked that "the emperor, if he chose, could prescribe for himself better than any one else could." Happily, his master's condition compelled him to resort to that abstinence which was the only effectual remedy. Yet we can hardly accuse him of pushing this to an extreme, when we find him, on his waking at three in the morning, swallowing a basin of capon-broth.

The first attack of gout was followed by a second, in the month of January, 1557. It was said to have been immediately caused by Charles's vexation at the news above referred to from Italy. It was not so severe or of so long duration as the preceding. As the symptoms grew more favourable and the gout gradually subsided, the spirits of the sick man rallied, and he regaled himself with an omelette of sardines, and some other savoury messes, greatly to the dismay of the major-domo, who, in his report to the secretary of state, declares that "it was no fault of his; for any attempt to reason his master out of his passion for fish was but labour lost."

Charles had now prolonged his stay three months at Jarandilla. Meantime, the buildings at Yuste were so nearly completed as to be ready for his reception. The monks were impatient for his coming. "If the emperor should not go, after all, they would hang themselves," wrote the secretary, Gaztelu. "Yet," he says, "for myself, I shall never believe that he will go till I have seen it."

The fact is, that Charles was detained at Jarandilla by the want of funds to pay off those of his household who were not to accompany him to Yuste. For this he had required from Valladolid thirty thousand ducats. Weeks elapsed without the remittance of a single ducat; and the royal exchequer was reduced so low that Quixada was obliged to advance a hundred reals from his own pocket to defray the expenses of the establishment. At length, twenty-six thousand ducats were sent. But Charles would not move till he had received the full amount. Yet no blame for this remissness seems to have been imputed to the regent. The emperor had learned from his own experience that it was not always easy for a king of Spain, with the Indies at his command, to procure the necessary supplies for his own household.

At length the remittances came. Quixada was enabled to discharge all arrears. Arrangements were made for sending back such of the retinue as were not to accompany their master to Yuste; and the regent was requested to charter the vessels to convey them to Flanders.

Out of more than a hundred and fifty retainers who had followed Charles to

Jarandilla, between fifty and sixty only were reserved for his establishment at Yuste. The selection was attended with some difficulty. Several of the principal Flemings whom their lord had retained in his service were not disposed to remain with him. They had no mind to give up their native land and their hopes of court preferment in order to bury themselves in a convent of monks in the wilds of Estremadura. They knew, moreover, the parsimonious temper of their master too well to count upon any remuneration that would compensate for the sacrifices they must make. "They bear little love to us," writes Quixada: "it goes to my heart to hear them talk of the long and faithful services they have rendered, and of the poor return they have received, or expect to receive, for them."

It fared not much better with those who were to remain with the emperor. It was Quixada's business to notify them of their salaries and of the provision which their master had made for them after his decease. "The same thing happened in this case," writes the major-domo, "that usually happens. Some were more contented with what had been done for them than others. No one was altogether satisfied; and I least of all, that I should find myself in so disagreeable a business, and be obliged to tell things to one and another which they liked as little to hear as I to say." Charles, however, might derive some satisfaction from the reflection that, as mercenary motives were excluded, those who remained in his service must have done so for the love they bore him. Indeed, if not a generous, he was a kind master; and the courtesy of his manners, and his considerate regard for his dependants, were such as to inspire them with a strong feeling of loyal attachment, independently of the reverence in which they naturally held him. This was especially true of the Flemings, in whom the sentiment of loyalty was heightened by the circumstance that the emperor was their own countryman,—having been born in Ghent. When, therefore, they assembled round his door, preparatory to his departure, and listened for the last time to the kind accents that fell from his lips, there were few among them who were not melted to tears. In short,—to borrow the words of Mignet,—the regret of those who were to be for ever separated from their master was only to be equalled by the sorrow of those who were to be buried with him in the Jeronymite convent.

On the third of February, at three in the afternoon, the emperor, followed by his retinue, took leave of the hospitable walls of the lord of Oropesa. He was carried, as usual, in a horse-litter, his noble host and the trusty major-domo riding by his side. As he passed through the files of halberdiers drawn up before the castle, they threw their pikes on the ground, in token that their service was ended. The cavalcade proceeded across the valley, and more slowly climbed the slopes of the mountain, shaggy with woods, which the winter winds had long since stripped of their foliage. As they drew near to Yuste, the sound of the convent bells ringing merrily came through the woods. The brethren were assembled in the church, which was decorated in the gayest manner, as for a festival; and the gathering shadows of evening were dispelled by numerous tapers, with which the chapel was illuminated. As the emperor entered the outer gates, the whole body of the monks, forming a procession, with the prior bearing a crucifix at their head, came forward, chanting the Te Deum, to welcome their royal guest to his new abode. Charles, alighting from his litter, and accompanied by the count of Oropesa and by Quixada, was borne in a chair by his attendants to the foot of the high altar. Here he remained, absorbed in his devotions, till the service was concluded and the last tones of the organ had died away. He then courteously received the salutations of the brotherhood, who gathered round him, ad-

dressing a kind word to each of the monks as they came forward to kiss his hand. The prior, somewhat embarrassed by the august presence into which he was now brought, in a complimentary speech addressed Charles by the title of "*paternidad*," which the good father hastily corrected as one of the brethren, in a whisper, suggested the propriety of "*magestad*."

This ceremony being concluded, the emperor had sufficient strength to go through the monastery, as well as every part of his own mansion, to examine the accommodations for his followers, and finally to be carried in his arm-chair to the little hermitage of Bethlehem, in the woods, at the distance of two bow-shots from the convent. He was in good spirits, professing himself pleased with all that he saw; and in this contented frame of mind he took possession of the simple residence in which he was to pass the brief remainder of his days. The monks, in their turn, were overjoyed at seeing that which they had hardly believed would ever come to pass. "Pray Heaven," writes the secretary, Gaztelu, "that his majesty may continue to endure the friars as patiently as he does now. This will be no easy matter. They are all an importunate race; and the more importunate in proportion to their ignorance, of which there is no lack among the brotherhood of Yuste."

BOOK II.

Charles's Mansion at Yuste—Furniture and Works of Art—Van Male—Charles's Household and Expenditure—His Way of Life—His Confessor—His Mechanical Pursuits—His Observance of Religious Rites—His Contentment at Yuste.

THE emperor's dwelling at Yuste, notwithstanding it had been contrived by one of the best architects in Spain, had little pretensions to the name of "palace," by which the monkish chroniclers, in their reverence for its occupant, are wont to distinguish it. It was a simple structure, of very moderate dimensions, and stood on the steep side of the mountain, with its back against the southern wall of the monastery. It consisted of only eight rooms, four on each floor, which were of a uniform size, being twenty-five feet long by twenty broad. They all opened into corridors, that crossed the building and terminated in two deep porticos, or galleries, that flanked it on the east and west. These led out upon terraces, for which the sloping land was eminently favourable, and which the emperor afterwards embellished with flowers, fountains, and fish-ponds, fed by the streams from the surrounding hills. From the western terrace a gently sloping path, suited to the monarch's feeble limbs, led to the garden, which spread out below the house. This was of considerable extent; and a high wall, which enclosed it, separated it from the domain of the monks. A small part of it was reserved for raising the vegetables for the royal table. The remainder was laid out as a pleasure-ground, with parterres of flowers, and pleasant walks shaded with orange, citron, and mulberry trees, that in this sheltered spot, screened from the rude winds of the north, grew as luxuriantly as in a more southern latitude. One of these alleys led to a light and tasteful summer-house, the ruins of which may be detected by the traveller among the rubbish that covers the ground at the present day. Another walk, bordered with cypresses, led to a gate which opened into the neighbouring forest, where two cows were pastured that supplied milk for the emperor's dairy.

Charles took for his bed-chamber the north-eastern room on the second floor, contiguous to the chapel, which, indeed, was the part of the monastery against which his mansion was erected. The apartment was so situated that a window, or glass door, opened from it directly into the chancel, giving him, while he lay in bed, a complete view of the high altar, and enabling him, when confined to his chamber, to take part in the service. In the opposite corner of the building was the cabinet where he passed the day in transacting business, which still followed him to Yuste, and in receiving envoys and visitors who came to pay their respects to him in his retirement.

The northern chambers must have been dark and dreary, with no light but what found its way under the deep porticos that protected the sides of the dwelling. But on the south the rooms lay open to the sun, and looked pleasantly down upon the garden. Here the vines, clambering up the walls, hung their coloured tassels around the casements, and the white blossoms of

the orange-trees, as they were shaken by the breeze, filled the apartment with delicious odours. From the windows the eye of the monarch ranged over a magnificent prospect. Far above rose the bold peaks of the sierra, dark with its forests of chestnut and oak, while below, for many a league, was spread out the luxuriant savanna, like a sea of verdure, its gay colours contrasting with the savage character of the scenery that surrounded it. Charles, who had an eye for the beautiful in nature as well as in art, loved to gaze upon this landscape; and in the afternoon he would frequently take his seat in the western gallery, when warm with the rays of the declining sun, as it was sinking in glory behind the mountains.

Charles, as we have seen, was careful to guard himself against cold, always travelling with his stove, and causing chimneys to be built in houses where he prolonged his residence. We may be sure that he did not omit this practice in a place like Yuste, where the dampness of the atmosphere rendered fireplaces, although little in vogue among the natives, as important as in a colder region. He had chimneys constructed for every room in the house. Indeed, he seemed to possess the constitution of a salamander, and usually kept his apartment in a sort of furnace-heat, by no means agreeable to his household. With all this, and with the further appliances of furs and wrappings of eider-down, he would often complain, especially when the gout was on him, that he was chilled to the bone.

The furniture and decorations of Charles's dwelling seem not to have been altogether in keeping with the plainness of the edifice. Yet Sandoval, the emperor's historian, assures us that "the apartments were so ill provided in respect to these, that they looked as if they had been sacked by an enemy, instead of being the residence of a great monarch; that the walls were hung with nothing better than black cloth, as if for mourning, and with this only in his bed-chamber; that he had but one arm-chair, or rather half a chair, so old and rickety that it would not have fetched four reals at auction; finally, that his wardrobe was on the same humble scale, consisting of a single black suit, and that of poor quality." The same account, with more or less variation, is echoed by Vera y Figueroa, Valparayso, Strada, and other writers of authority. That Charles had not much to boast of in the way of dress may well be believed; for during the latter years of his life he had been singularly indifferent to his apparel. "When he rode into the towns," says a contemporary, "amidst a brilliant escort of courtiers and cavaliers, the emperor's person was easy to be distinguished, among the crowd, by the plainness of his attire." In the latter part of his reign he dressed wholly in black. Roger Ascham, who was admitted to an audience by him in his privy chamber some five years before his abdication, says that the emperor "had on a gown of black taffety, and looked somewhat like the parson at Epurstone." His natural parsimony came in aid of his taste. It is told of him that once, being overtaken by a storm in the neighbourhood of Naumburg, he took off his new velvet cap, and remained uncovered while he sent into the town for an old one. "Poor emperor," thought one of the company, who tells the anecdote, "spending tons of gold on his wars, and standing bareheaded in the rain for the sake of his velvet bonnet!" The reflection is a natural one, but not more natural than the inconsistency which gave rise to it.

That Charles was not altogether unmindful of his wearing-apparel in Yuste may be inferred from the fact that his wardrobe contained no less than sixteen robes of silk and velvet, lined with ermine, or eider-down, or the soft hair of the Barbary goat. As to the furniture and upholstery of his apartments, how little reliance is to be placed on the reports so carelessly circulated about

these, may be gathered from a single glance at the inventory of his effects, prepared by Quixada and Gaztelu soon after their master's death. Among the items we find carpets from Turkey and Alcaraz, canopies of velvet and other stuffs, hangings of fine black cloth, which, since his mother's death, he had always chosen for his own bedroom; while the remaining apartments were provided with no less than twenty-five suits of tapestry, from the looms of Flanders, richly embroidered with figures of animals and with landscapes. Instead of the crazy seat that is spoken of, we find, besides a number of sofas and chairs of carved walnut, half a dozen arm-chairs covered with black velvet, and two others, of a more elaborate workmanship, for the emperor's especial use. One of these was garnished with six cushions and a footstool, for the accommodation of his tender joints, and the other well stuffed and provided with handles, by which, without annoyance to himself, he could be borne out upon the terrace, where, in fine weather, he often preferred to take his repasts. The accommodations of his sleeping-apartment showed an equal attention to his personal comfort; for, besides two beds, of different dimensions, we find such an ample supply of bolsters, pillows, blankets, and bed-gear of all descriptions as would have rejoiced the heart of the most ambitious housekeeper.

With the article of plate he was no less generously provided, though we are assured by the authorities above quoted that he had but three or four pieces, and those of the plainest pattern. The service of his oratory was uncommonly ample, and was mostly of silver-gilt. His table-service was also of silver, as were the articles for his toilet, the vases, the pitchers, the basins, and even the humblest utensil in his bed-chamber. The vessels in his apothecary's room were of the same precious material, as well as most of the articles in the pantry and the kitchen. Among the different pieces of plate we find some of pure gold, and others especially noted for their curious workmanship; and, as this was an age in which the art of working the precious metals was carried to the highest perfection, we cannot doubt that some of the finest specimens had come into the emperor's possession. The whole amount of plate was estimated at between twelve and thirteen thousand ounces in weight.

The emperor's inventory makes no great display of jewels. Such trinkets, worthless in the monastery, he left to those who had still their showy parts to play on the theatre of the world. He brought with him, however, a number of richly-mounted caskets of gold, silver, and enamel, containing different articles which still had value in his eyes. Among these were several collars and badges of the Golden Fleece, the proud Burgundian order of which the Spanish sovereign was now the head. But most of these jewelled coffers were filled with relics or amulets. Among the former was a bit of the true cross. It afterwards passed as a precious legacy to Philip; as did also the contents of another casket, a crucifix which his mother, the empress Isabella, had in her hands in the hour of death, and which was afterwards to solace the last moments of her husband and her son. The other boxes were chiefly devoted to talismans, which the superstition of the times had invested with marvellous properties for warding off disease. There were stones set in gold, sure styptics for stopping blood; nine English rings, a specific against cramp; a blue stone, richly chased, for expelling the gout; four bezoar stones, in gold settings, of singular efficacy in curing the plague; and other charms of the same kind. It may surprise one that a person of so strong a mind as Charles the Fifth should have yielded so far to the popular superstition as to put faith in such trumpery. That he did so is evident from the care with which he preserved these amulets, and from his sending one of them—a bezoar stone—to his chamberlain Van Male, when supposed to be ill of the plague. Yet

this should not be set down so much to superstition as to the credulity which grew out of an ignorance of the real properties of matter,—an ignorance which the emperor shared with the best-instructed men of the age, who, in whatever related to physical science, were constantly betrayed into errors of which a school-boy at the present day would be ashamed.

There was one decoration for his dwelling which the abdicated monarch brought with him to Yuste, of more worth than his plate or his jewels. This was a small but choice collection of pictures, some of which ranked as the noblest masterpieces of art. They were variously painted, on canvas, wood, and stone, mostly of the size of life, and hung in rich frames round the walls of his apartments. Some were in miniature, and among these were no less than three of the empress; while an elaborate altar-piece, displaying pictures of the Virgin and the Child, was ornamented with gold medallions that contained likenesses of the different members of the imperial family.

But the gems of the collection were eight paintings from the pencil of Titian. Charles was a true lover of art, and, for a crowned head, no contemptible connoisseur. He fully appreciated the merits of the great Venetian, had him often near his person at the court, and at all times delighted to do homage to his genius. There is a story that on one occasion the monarch picked up a pencil which Titian had dropped while painting, and restored it to him, saying that "so great an artist should be served by an emperor." This is too like some well-attested anecdotes of Charles to be rejected as altogether improbable. However this may be, he showed his estimation of the artist by conferring on him the honour of knighthood, and by assigning him a yearly pension on the revenues of Naples, of two hundred gold crowns. He may be thought to have done some violence to his nature, moreover, by never paying him a less sum than eight hundred crowns for each of his portraits. There were several of himself at Yuste, from the hand of Titian; one a full-length, representing the emperor in complete mail. He was painted many times by the Venetian artist; for it was by his pencil that he desired his likeness should be transmitted to posterity. He had his wish. Some of these portraits are among the best productions of Italian art; and the emperor lives immortal on the canvas of Titian, no less than in the pages of history.

There are several pictures also of the empress by the same master; and others of Philip and the different members of the royal family. But the most remarkable in the collection, and one that Charles had caused to be painted a few years before, that he might take it with him to his retreat, was the celebrated "Gloria," in which he appears with the empress in the midst of the heavenly host, and supported by angels, in an attitude of solemn adoration. This superb picture, which, after the monarch's death, accompanied his remains to the Escorial, is reported by tradition to have been placed over the great altar in the church of Yuste. That this was the case is rendered probable by the size of the painting, which made it better suited to a church than a private apartment. In the space above the altar, Charles could, moreover, readily see it through the window of his chamber; and from his sick-bed his eyes might still rest on the features of the sainted being who had been dearest to him on earth.

There were other pictures by different artists, the principal of whom was "Master Michael," as he is termed, respecting whose identity historians are somewhat puzzled. The subjects of his pieces were chiefly of a religious character, and celebrated different passages in the life of our Lord. The whole collection was one well suited to the condition of the monarch who had withdrawn from the tumult of the world to a life of holy meditation. While

surrounded by the images of those who were associated in his memory with the most tender recollections, his religious sensibilities were kindled by the sight of those scenes which commemorated the sorrows and the sufferings of his Saviour.

Charles had brought but a meagre array of books to adorn his shelves at Yuste. He was never a great reader. His life had been too busy to allow the leisure for it. It was his misfortune in his youth not to have acquired a fondness for books,—that best source of enjoyment in prosperity, as it is the unfailing solace in the hour of trouble. The learned Adrian of Utrecht was, indeed, his preceptor. But Chièvres, the politic Flemish minister who had the direction of his affairs, considered letters as belonging to gownsmen, and that a prince could better bestow his time on manly and chivalrous exercises. Charles's whole library did not exceed thirty-one volumes. These were mostly of a religious character, as psalters, missals, breviaries, commentaries on the Scriptures, and the Meditations of St. Augustine. Of the Consolations of Boethius—a work once so popular—there were copies in three different languages. He had a few scientific works, among them the Almagesta of Ptolemy, which contained whatever was known, or rather not known, of astronomy in that day.

One might have expected that history, at least, would have found favour with the emperor. But he was too busy furnishing materials for history to find time for reading it. He possessed a fragment of the unfinished manuscript of Florian de Ocampo's *Crónica de Espana ;* a work in which the author, starting from the Deluge,—as usual with the Spanish chronicler in that day, —was interrupted by death before he had groped his way through the Dark Ages. A copy of Cæsar's Commentaries graced the shelves. But it was in an Italian translation, as Charles had a very imperfect knowledge of Latin. He took more pleasure in the Commentaries of his friend the Grand Commander Avila, which celebrated the wars in Germany in which the emperor played the principal part.

But the work which had the greatest interest for the monarch was a French poem, "*Le Chevalier Délibéré,*" which had great success in its day. It was chiefly devoted to celebrating the glories of the house of Burgundy, and especially that prince of fire-eaters, Charles the Bold. The emperor, pleased wtih the work, and the more so, no doubt, that it commemorated the achievements of his own ancestral line, had formerly amused his leisure hours by turning it into Spanish. He afterwards employed his chamberlain, William Van Male, to revise it and correct the style for him. Thus purified, it was handed over to a poet of the court, named Acuña, who forthwith did it into set Castilian verse.

Van Male, the chamberlain, who had thus performed the same office for his master which Voltaire used to intimate he had rendered to Frederic the Great, by saying he had washed out the king's dirty linen, was a person who held too important a place in the emperor's household to be passed over in silence. He was born in Flanders, of an ancient but decayed family. He early followed the wars, and took service under the duke of Alva. But the profession of arms was not suited to his quiet and studious tastes ; and when peace came he quitted the army, with the design of entering the Church. The poor gentleman, however, had no patron to push him forward in the path of preferment, and, satisfied of this, he gladly embraced an offer, which he obtained through the interest of Charles's minister, De Praedt, of the post of chamberlain in the imperial household.

In his new situation Van Male was necessarily brought into close relations

with his master, to whom his various accomplishments enabled him to render other services than those strictly demanded by his office. When Charles's fingers were too much crippled by gout to hold the pen, the chamberlain acted as his secretary, and sometimes wrote his despatches. If the monarch, oppressed with care or tormented by bodily pain, was unable to compose himself to sleep, Van Male beguiled the time by reading aloud to him; and many a weary hour, and often far into the night, did the chamberlain stand by his master's bedside, engaged in his unenviable office. It was in such intervals as he could snatch, during this occupation, that he wrote those letters to his friend the minister De Praedt, which have recently been published, and which throw many gleams of light on the emperor's personal character and way of life. In their constant intercourse, Van Male's guileless character, his integrity, and his amiable disposition, won the regard of his master, who seems to have honoured him with a greater degree of confidence than any other of his household, except Quixada. But for all that, and notwithstanding the important services he received from him, Charles did little for the advancement of the chamberlain's fortunes. When the latter announced that he was about to marry, the emperor looked graciously on the plan, and favoured him with some prudent counsels in regard to his housekeeping. The simple-hearted chamberlain overflowed with gratitude at this mark of condescension, which he does not fail to communicate in his letters to De Praedt. But these prudent counsels were all that Charles had to give him. At length the time came when the emperor could be generous to Van Male, and that without any cost to himself.

He determined to present him with the manuscript containing the Castilian version of the "*Chevalier Délibéré*," and to have a large edition of it struck off at once. This was to be done at the chamberlain's expense, who would be abundantly remunerated by the sale of the poem. "It will put five hundred gold crowns into his pocket," exclaimed a wicked wag, the historian Avila. "And William is well entitled to them," said the emperor, "for he has sweat hard over the work." But the subject of the royal bounty took a very different view of the matter. Nothing seemed certain to him but the cost,—especially as Charles positively declined to propitiate the public by making known the part which he had taken in the composition of the work. It was in vain that the poor chamberlain protested. His master would not be balked in his generous purpose, and in that same year, 1555, an edition of two thousand copies of the book appeared from the press of Jean Steeltz, in Antwerp. Whether the result justified the ominous presages of Van Male, we are not told. He was one of the Flemings who followed their master to Yuste. He survived him but two years; and, as there is no appearance that his affairs were in a very flourishing condition at the time of his own death, we have no reason to suppose that the manuscript of the "*Caballero Determinado*" proved a gold-mine to him. Charles had brought with him to Yuste two copies of the epic, which he probably regarded with more complacency than that with which they were viewed by Van Male. One was in the original French, the other in the Castilian version, and both were ornamented with coloured drawings, and richly bound in crimson velvet, with clasps and corners of silver, like many of the other books in the collection.

The imperial household consisted of about fifty persons,—a number not greater than belonged to the family of many a private gentleman. But the titles of some of the officials intimated the state maintained in the establishment. There were the major-domo, the almoner, the physician, the apothecary, the secretary, four gentlemen of the chamber, the keeper of the wardrobe, and

the like. There were also cooks, confectioners, fruiterers, bakers, brewers, gamekeepers, and a number of menials for the inferior offices. Charles, as we have seen, had been disappointed in not being able to retain the services of some of the more distinguished Flemings in his monastic retreat. Their attachment to their master was not strong enough to make them renounce the world and bury themselves in the solitudes of Yuste. With the exception, therefore, of a few men of family and education, who filled the higher posts, the establishment was made up of illiterate persons, suited to the humblest station. Even one of the chamberlains, as we gather from the emperor's will, was unable either to read or write.

The emperor's family was variously distributed. Quixada, Gaztelu, Moron, keeper of the wardrobe, and some others of the principal attendants, were lodged in the neighbouring village of Cuacos, half a league from the monastery, —a place, as the secretary pathetically complains, "even worse than Yuste." Much the greater number found accommodations in a part of the new cloisters, to which the avenues from the rest of the monastery were carefully closed, while easy communications were opened with "the palace." Thus the emperor's establishment, in the words of Mignet, was complete in itself, supplying him not only with all that was required in the way of personal service, but with whatever was necessary for his use,—from the bread for his table to the various medicines for his maladies; from the wine and beer of his cellar to the wax-lights for his oratory.

The salaries of the attendants varied according to the nature of their services. Quixada, as head of the establishment, was to receive the same yearly stipend with that assigned to the marquis of Denia, who had held the post of chamberlain in Queen Joanna's household. The amount is not stated. Gaztelu, the secretary, and Mathys, the physician, received each seven hundred and fifty florins a year. Moron had four hundred florins, as master of the wardrobe; Torriano, the mechanician, three hundred and fifty; Van Male, and the other chamberlains of the first class, three hundred each. The whole amount of the wages somewhat exceeded ten thousand florins.[1]

Charles had estimated his probable expenses at about sixteen thousand gold ducats a year. He found, however, that he should require twenty thousand; and he ordered the secretary Vazquez to remit to him that amount, in quarterly payments of five thousand each. Gaztelu urged the importance of punctuality in the remittances; for "the emperor," he said, "is the man of all others who requires to be served with punctuality; and the least want of it causes him the greatest annoyance." One might have thought that the lord of Spain and the Indies would have long been familiar with such sources of annoyance.

The abdicated monarch had reserved for himself the proceeds of certain taxes called *los seis y onze al millar*, and a right in the mines of Guadalcanal. These, which were of silver, and situated in the south, not far from Cordova, were of daily increasing value; though it was not till some years later, when leased to the Fuggers of Augsburg, that their productiveness was fully established. Besides these sources of revenue, Charles had laid aside for himself thirty thousand gold ducats, which he deposited in the fortress of Simancas. His daughter Joanna, more than once, when hard pushed for money for the

[1] The Flemish florin, according to Mignet (Charles-Quint, p. 227), contained an amount of silver equivalent to that of six francs ninety-seven centimes of the present day, But silver has greatly depreciated since the sixteenth century. Taking three as the multiple indicating the depreciation, the Flemish florin would be equal to nearly twenty-one francs of the present currency. There are so many embarrassments, however, in the way of forming a correct estimate of the relative value of money in different ages, that any conclusion to which we may arrive must be received with diffidence.

public service, tried to persuade him to allow her to borrow from this hoard on the faith of the national credit. But her father, who knew from experience that government paper was by no means as good as gold, turned a deaf ear to the application, and kept his treasure untouched to the day of his death.

Charles's way of life at Yuste was of that regular kind to have been expected in one who lived in the atmosphere of a convent. He rose early, and immediately breakfasted. His stomach abhorred a vacuum, even for the shortest space of time. When the door was thrown open, his confessor, Father Juan de Regla, appeared. The history of this man affords one of the many examples of the wise policy with which the Catholic Church opens a career to talent and desert wherever found, instead of making rank the only path to preferment. Regla was the son of a poor Aragonese peasant. While a lad, he went to Saragossa, where he lived for some time on charity, especially on the alms doled out at the convent gate of St. Engracia. He performed also some menial offices; and the money he thus picked up he spent on books. The brethren of the convent aided him by their spiritual teachings, and by their recommendation of him to a wealthy patron, who gave him the charge of his sons in the University of Salamanca. Regla seems to have fully shared in all the advantages for education afforded by this seat of science. He profited by them to the utmost, made himself well acquainted with the ancient tongues, especially Greek and Hebrew, and went still deeper into the canon law, as he had determined to devote himself to the Church. At the age of thirty-six he entered the order of St. Jerome, making his profession in the old, familiar convent of St. Engracia. He distinguished himself by the strictness with which he conformed to the discipline of the society. Though a subtle and dexterous casuist, he seems to have had no great success as a preacher. But he was the most popular confessor in Saragossa. His learning and exemplary way of life, recommended by plausible manners, gradually acquired for him such consideration with the brotherhood that he was raised to the office of prior in the very convent at whose gate he had once received charity.

The first term of his office had just expired, and he was about to be re-elected for another, when he received a summons to attend the emperor as his confessor at Yuste. However gratifying the appointment may have been to his feelings, he seems to have preferred to remain in the independent position which he held as head of the Jeronymite monastery. At least, he showed no alacrity in complying with the summons. When at length he presented himself before the emperor, the latter, who had been impatient of his delay, inquired the cause of it; to which the Jeronymite, with a downcast look, replied, "It was because he did not think himself worthy, or indeed qualified, to take charge of his majesty's conscience." Charles, who perhaps did not give the monk credit for as much humility as he professed, told him to take courage; "for," said he, "I have had five learned divines, who have been busy with my conscience for this year past in Flanders; and all with which you will have to concern yourself will be my life in Yuste."

The meek and austere deportment of the confessor soon established him in the good opinion of the monarch, who, in one instance, showed him a singular proof of consideration. He not only allowed, but commanded, Regla to be seated in his presence,—an act of condescension which greatly scandalized the loyal Quixada, who regarded it in the light of an indignity that a poor friar should thus be placed on a level with his august sovereign. Regla himself felt the awkwardness of his situation, for much the same etiquette was observed towards Charles in his retirement as when on the imperial throne. The monk saw the odium to which his master's favour would expose him; and on his

knees he besought the emperor to allow him to stand in his presence. "When any one enters the room, it makes me feel," said the poor man, "like a criminal on the scaffold, dressed in his *san-benito*." "Be in no pain about that," said Charles to him: "you are my father-confessor. I am glad that people should find you sitting when they come into the room; and it does not displease me," he coolly added, "that you should change countenance sometimes at being found so."

Notwithstanding this show of deference to his confessor, or to the cloth, Regla soon found that humility was not a cardinal virtue of his royal penitent, and that, if he had resigned the sceptre, he still retained a full measure of the imperious temper with which he had swayed it. On one occasion, the monk having gone on his own affairs to the neighbouring town of Placentia, Charles, as soon as he learned it, sent a courier to order him back. "I would have you know, brother Juan," said the emperor to him on his return, "that it is my pleasure you go not hence without my express permission. You are not to quit me for a single moment." Regla received the rebuke with patience, and from that hour never left the monastery so long as his master lived.

After the confessor had assisted Charles in his morning devotion, the latter amused himself with some occupation,—often of a mechanical kind, for which he had a taste. His companion at these times was Torriano, the mechanician whom we have mentioned as forming one of the household. He was a native of Cremona, in Italy, a man of singular ingenuity, who afterwards gained himself a name as an engineer by the construction of the celebrated hydraulic works of Toledo. He was well skilled in the manufacture of timepieces, and, as we have seen, made those elaborate clocks which adorned the apartments at Yuste. He was engaged, at this time, on an astronomical timepiece of a most complicated construction, which required more than three years for its completion. Charles is said to have observed the progress of this curious piece of mechanism with great interest. He had brought with him to Yuste a number of watches made by the same hand. Pocket-watches were a great rarity at that period, for their invention was of recent date, going back no farther than the beginning of the century.

Charles had a passion for timepieces, though one might have thought that he would have cared little for the precise measurement of the hours as they glided away in the monotonous routine of the monastery. The difficulty which he found in adjusting his clocks and watches is said to have drawn from the monarch a philosophical reflection on the absurdity of his having attempted to bring men to anything like uniformity of belief in matters of faith, when he could not make any two of his timepieces agree with each other. But that he never reached the degree of philosophy required for such a reflection, is abundantly shown by more than one sentiment that fell from his pen, as well as his lips, during his residence at Yuste.

Charles had a turn for the mathematical sciences; and his inventory contains a number of geometrical and other instruments which he had brought with him to his retreat. In the catalogue we find, moreover, mention made of no less than thirty-six pairs of spectacles. He had a decided taste, and, as it would seem, talent, for mechanical pursuits, and when in Germany had invented a carriage for his own accommodation, in which he used to take his airings in the country. He would often amuse himself with Torriano in making little puppets,—soldiers performing their exercises, girls dancing with their tambourines, and, if the account be true, wooden birds that could fly in and out at the window!—all which, in the eyes of the simple monks, savoured of necromancy. But what satisfied them beyond a doubt that Torriano was

an adept in the black art was his invention of a hand-mill small enough to be tucked away in the sleeve of a friar, but of sufficient power to grind enough meal in a day to feed a man a week. It may have been some such piece of witchcraft that furnished an argument for his prosecution afterwards by the Holy Office.

At ten o'clock some of the emperor's *ayudas de cámara* or of his *barberos* —gentlemen of the chamber of the first and second class—came to assist him at his toilette. At noon he heard mass. When well enough, he always attended the service in person, occupying his place in the choir. At other times he would sit at his chamber-window, which, as we have seen, opened on the chancel, where the clear, sonorous tones of his voice might be heard mingling with those of the choristers below. He had a great fondness for music, and understood the principles of the art. When on the throne, the music of his chapel was unsurpassed by that of any church in Christendom. On his coming to Yuste, the greatest pains had been taken to select for him the best voices from the different convents of the order. No person was admitted into the choir except those who regularly belonged to it. On one occasion a professional singer from Plasencia having joined in the chant, the unaccustomed tones soon drew the emperor's attention; and the intruder was compelled to beat a hasty retreat. Charles had a quick ear; and sometimes, when a false note jarred on it, he would break into a passion, and salute the offender with one of those scurrilous epithets which he had picked up in the wars, and which were much better suited to a military life than to a monastic.

Immediately after mass he dined,—an important meal, which occupied much time with him always, at the convent as well as at the court. At Yuste he still retained the unsocial privilege claimed by royalty of eating alone. He beguiled the time, however, by conversing with some one of his household who was present during the repast. Sometimes it was Mathys, the physician, a man of science, but who unfortunately did not possess the authority exercised by Sancho Panza's island-doctor, to order off the unwholesome dishes from the table. Sometimes it was the learned chamberlain, Van Male, who was present. Frequently both remained; and the emperor conversed with them on different topics, usually those relating to science,—to anything but politics. The subject often turned on natural history, of which Charles was fond, when Pliny would, of course, be cited as sovereign authority; and, if a passage chanced to puzzle the disputants, the confessor—a good scholar, as we have seen—would sometimes be sent for to settle the dispute.

After dinner, the monk read to his master some portion of St. Bernard or St. Jerome, pausing frequently while his auditor made a running commentary on the text; so that the exercise, as the narrator adds, partook rather of the nature of "a sweet and heavenly communion." At other times the conversation turned on lighter and more familiar topics. Then came a short *siesta;* after which the emperor repaired to the church, where three days in the week he listened to a discourse from one of his chaplains. There were three of these, men selected for their piety and learning from the different houses of the order. Among the number Fray Francisco de Villalva was especially endowed with a rare and touching eloquence, which made him one of the most popular preachers of the day; and, as his discourses found great favour with Charles, he was selected to deliver the sermon much oftener than either of his brethren. Occasionally assistance was not refused from other quarters; and if any member of the order belonging to some other convent, who had a gift for preaching, happened to visit Yuste, he was invited to mount the pulpit and

display his eloquence before the emperor. Whenever there was preaching, Charles made it a point to be present. If prevented by illness, or by the necessity of preparing despatches for Brussels or Valladolid, he expected to hear from his confessor, on the same evening, a full report of the discourse.

On the other afternoons of the week he listened to some portion of the Scriptures from Fray Bernardo de Salinas, a learned divine, who had received his degree of doctor from the University of Paris. The part most frequently selected for this exercise was the Epistle to the Romans, which the emperor preferred, says a monkish historian, as containing the sum and substance of all the other epistles and comprehending within itself all the sound doctrines and dogmas of the Church. The remainder of the day he was occupied with such affairs as claimed his attention. After vespers, and before retiring to rest, he refreshed himself with a supper, in which fish, dressed in some rich and unwholesome way, was pretty sure to make part of the repast.

A religious sentiment, which unhappily was deeply tinctured with bigotry, lay at the basis of Charles's character, as was shown in the busiest parts of his life, no less than in his retirement. He had ever paid due attention to the solemnities of the Church, and was anxious to show his respect for its ministers. On one occasion, when attending divine service in the chapel of the University of Alcalá, he declined to take the throne which had been prepared for him, and took his seat with the canons, saying that "he could find no better place than among such reverend and learned divines." After the death of the empress, he heard a private mass for her every day as soon as he had risen; and when he had despatched the business of the audience-chamber he repaired to the chapel and heard mass there in public. At Yuste he caused four masses to be performed every day; two for the souls of his parents, another for his wife, and a fourth for himself, at which last he was always present. He seemed desirous, on all occasions, to manifest the earnestness of his devotion. When one of the brethren, soon after his arrival, abashed by the emperor's presence, hesitated to sprinkle him with the holy water, he took the hyssop from the monk and scattered the drops liberally over himself, saying, "This is the way, father, you must do in future, and without any fear." On Good Friday, when the convent was assembled to adore the Cross, Charles appeared with his household, who applied the scourge briskly to themselves, as they followed their master. He allowed the monks to take precedence; and, though so feeble at the time as to require the support of his attendants, he insisted on going through all the ceremonies practised by the brethren, prostrating himself thrice on the ground, before saluting the cross with his lips.

Charles was punctual—as far as his health permitted him—in observing the fasts and festivals of the Church. His infirmities excused him, to some extent, from the former. In 1554 he had obtained a bull from Julius the Third, granting him a dispensation for breaking his fast even on the mornings when he was to take the sacrament. In the terms of the instrument, "he was discharged from any scruples of conscience that he might experience for having done this at any time before, with a complete dispensation for the future;" and this was granted him, it was said, "not only on account of the infirm state of his health, but of the pious zeal with which he had ever stood forth as the defender of the Catholic faith."

But, though Charles was excused by his infirmities from keeping the fasts of the Church, he was very strict in enforcing the observance of them by his people. He was no less so in requiring their attention to other religious ordinances. On Ash Wednesday, when all his household were expected to

partake of the sacrament, he might be seen standing on the upper steps of the altar, taking note that no one of the number was absent. He set an edifying example in his own person. Every Friday in Lent he took his place in the choir; and after the ceremonies were finished, and the monks had extinguished their tapers, the emperor followed their example, and applied the lash with such good will to his back and shoulders that it was stained with his blood. The scourges which he used were preserved in a coffer, among other relics and precious memorials of his father's piety, by Philip the Second, and by that monarch bequeathed to his imbecile son and successor, Philip the Third.

While Charles was thus mindful of the lugubrious ceremonies of the Church, he did not allow its festivals to pass unheeded. The most interesting of these, from its connection with his personal history, was the *fête* of St. Matthias. The twenty-fourth of February, the day of this apostle, was as important an epoch in Charles's life as the third of September was in that of Oliver Cromwell. It was the day on which the emperor was born; that on which he won the great victory of Pavia over his rival, Francis the First; that on which he received the imperial crown from the pope at Bologna; and, finally, it was the birthday of his natural son, the famous John of Austria. So fruitful an anniversary could not be allowed to pass unheeded by the monarch, who ever held his patron, St. Matthias, in the greatest honour. The pope had granted an indulgence to all who should be in the same place with the emperor on that day, or even where his remains were, after death.

Charles continued to observe the *fête* of St. Matthias at Yuste with the same solemnity, if not with the same pomp, as when upon the throne. On the morning of that day he appeared in the chapel richly attired, with the superb collar of the Golden Fleece hanging from his neck. He was attended by his household, all dressed in their gala suits for the occasion. After high mass had been performed, Charles approached the altar, and, kneeling down, returned thanks to the Almighty for the countless blessings that had been heaped on his head. He then laid his gift reverently on the altar, consisting of as many gold pieces as he had numbered years of his life. After this came a sermon from Father Villalva. But the church was unable to contain half of those who had come to celebrate the jubilee. They had gathered from forty leagues round, to profit by the indulgence, and to see the great emperor who had exchanged the pomps of the world for a life of penitence and prayer in the solitudes of Estremadura. An altar was raised in the open fields, not far from the garden gate, where mass was performed; and while the discourse was going on in the neighbouring church, another was delivered from a pulpit under the shadows of the famous walnut-tree of Yuste, which still throws its gigantic arms over the spot where the multitudes gathered to celebrate the festival of St. Matthias.

Another anniversary, which derives its interest from its connection with the emperor's cloister life, is worthy of notice. This was the third of February, St. Blas's day, the date of his arrival in Yuste. A singular circumstance gave a peculiar character to the celebration of it. When Charles had nearly completed a year of his residence, the master of the novices told Moron, the keeper of the wardrobe, that he must learn from the emperor whether he was contented with his way of life and was willing to make his profession; for, after the year had passed, he would not be allowed, by the rules of the order, to leave the convent. The Jeronymite, as the chronicler tells us, hardly expected that this would be reported to the emperor. But the latter, when it was repeated by Moron, took it in good part, and, though labouring at that time under an attack of the gout, determined to enter into the humour of the thing.

He announced, accordingly, that he was well content with the convent, and, if the brethren were contented with him, they might consider him as having professed from that hour.

He then inquired what ceremonies were necessary on the occasion. He was told the first step was to examine into the lineage of the candidate, and see if he were of the "blue blood,"—*sangre azul*,—that is, without taint of Moorish or Jewish ancestry. The pedigree of his majesty made such an inquiry in his case superfluous. But the act of profession required to be celebrated with certain solemnities that could not so well be dispensed with. Charles gave orders that they should be punctually observed. Accordingly, on St. Blas's day, mass was celebrated in the chapel, a procession was formed of all the brethren, *Te Deum* was chanted, and a sermon was pronounced by the emperor's favourite preacher, who told his hearers "how much more glorious it was to become the servant of Christ, poor and lowly as such a condition might be, than to be the lord of the whole world." The religious services were concluded by a scene of a more festive character, as was usual when a new member was admitted into the fraternity. A table was spread in the refectory, sumptuously provided at the emperor's expense, and garnished with game and other dainties, which had been sent for the occasion from the neighbouring villages. The Flemings from Cuacos, with their wives, dressed in their holiday apparel, came to partake of the good cheer with the Jeronymite brethren; and when the banquet was ended, the latter, who had been long pent up within the walls of the monastery, were permitted to go forth and spend the remainder of the day in rambling among the forests on the slopes of the mountain.

The accession of the imperial neophyte to their body was a proud day for the community of Yuste. They seem to have had no doubt of the sincerity of the emperor's profession. At least, they intimated as much by opening a new register, bearing the names of the professed, at the head of which was the name of Charles, written with his own hand. "Whether it was by way of jest, or spiritual pastime, or however one may call it, so it was," says the chronicler of the order. Beneath the royal autograph was inscribed the following sentence: "Dedicated to the eternal memory of this illustrious and puissant monarch, in order that the future members of this house may glorify themselves on seeing their own names inscribed beneath the name of this great prince." The volume, thus royally illustrated, was cherished with pious care by the community till the beginning of the present century, when in 1809 the monastery of Yuste was sacked by the French, and the archives, like everything else within its walls, were converted into a heap of ruins.

Charles was sufficiently affable in his deportment towards the Jeronymites. He knew them all by name, and occasionally conversed with them. Indeed, he showed them a degree of kindness, and even consideration, that was incomprehensible to his household, especially the Flemings, whose feelings seem to have been anything but those of deference for the friars. On one occasion he bestowed a gratuity on the monks, which led to a remonstrance from the board of visitors on their annual inspection of the convent. "The order," they said, "supplied the brethren with all that was necessary for the performance of their duties. His majesty's bounty would only serve to make them listless and lazy, fond of gormandizing and sleeping; and God grant that the mischief might extend no farther!" Charles admitted the reasonableness of the objections, and promised to refrain from such indiscreet generosity for the future.

Once during his residence at Yuste he condescended to dine with the brethren in the refectory. He sat at a separate table, and Van Male acted as

his carver. But Charles's dainty appetite had been too long accustomed to the savoury messes of his own kitchen to relish the simple fare of the convent. He had made but slender progress in the repast, when he suddenly rose and withdrew. Not to mortify his hosts, however, he told them, as he left, to set aside the untasted dishes for him, adding that "he should not yet hold them quits." But, for all this, he never dined with them again; still less did he ever return the compliment, by asking any of them to dine with him. The Jeronymites were not long in finding that, notwithstanding his late act of profession, brother Charles was not a whit more of a monk than when he first took up his residence at Yuste Their prior having died, they besought the emperor to obtain from the general of the society permission for them to elect a new prior. But Charles testily answered that "he would not be pestered with their affairs, or with those of their order either."

During the first months, indeed the greater part of the first year, of the emperor's cloister life, his health visibly improved,—the consequence, it may be, of change of climate and occupations. At least, such is the view taken of it by the Jeronymite historian, who tells us that the "equable temperature of Yuste, where the monarch's senses were regaled with the delicious fragrance of the groves and gardens, and, above all, the holy calm of his present occupations, far from the feverish turmoil of the world, diffused a sweet serenity over his soul and gave new vigour to his constitution." From whatever cause the favourable change in his health and spirits proceeded, it was the subject of frequent remark among the members of his family. "The emperor," writes Gaztelu to the secretary Vazquez, "is so well, and in such good condition, that you would hardly know him." This was in June. In the following August, Quixada, in a letter to the same functionary, notices the "excellent health of his master, who eats and sleeps well, and, with the exception of an occasional twinge of gout in the fingers and shoulder, has nothing to complain of. He enjoys his present quiet life, has no desire to exchange it for any other, and, in short, is the most contented man in the world."

Unfortunately, the contentment of the monarch was not shared by his household. The major-domo, in particular, gave vent to his ill humour in more than one petulant letter to Vazquez, to whom he unbosomed himself in the fulness of his heart. "If his majesty," he writes, "wanted solitude, by my faith he has got it. . . . This is the most wretched and lonely life I ever passed; fit only for those who desire to give up the world and turn friars, of which number I am not one. But, God willing, I will make some change before long."

Shortly after, he obtained a furlough from the emperor, with leave to pay a visit to his family at Villagarcia. Overjoyed, he wrote at once to Vazquez, "I shall not return in a hurry, I assure you, to eat truffles and asparagus in Estremadura!" But it was not Quixada's destiny to live separate from his master. The latter, during the major-domo's absence, employed one of the monks as his commissary, to cater for the palace. But the good father knew but little of the affairs of this world, and proved so incompetent to his office that Charles caused a despatch to be sent forthwith to his old servant, desiring his instant return. "I believe that his majesty," wrote Gaztelu, with great satisfaction, "is now convinced that the monks are not fit to be employed in anything whatever." Quixada was requested to bring his family along with him and take up his residence permanently at Cuacos.

The idea of thus removing all his family to Yuste, as to a permanent abode, was a bitter pill to the major-domo. It was a severe trial to his loyalty; but in the end his attachment to his master prevailed, and he made his prepara-

tions for obeying him, though, it must be admitted, with a very bad grace. On his return, he poured forth his complaints into the ear of his friend Vazquez. "I should say nothing of the inconvenience of leaving my own quarters, were it not that I am transferred to a spot where there is nothing to eat, no house fit to live in, and where my days are spent in running to and from the monastery; and this in all weathers, in heat and cold, in rain and snow; it is all one. I feel chiefly, however," he adds, "for my wife,—to be thus brought from her pleasant residence at Villagarcia to this dreary solitude, where there are no amusements or enjoyments of any kind. But his majesty," he concludes, "will be served by it; so I must acquiesce, though much against my will, I assure you; and especially when I consider that my past services have not been so well requited that I should feel under any obligation to render new ones." This amiable epistle is dated "the thirtieth of August, from Yuste,—woe betide him who built it!" Gaztelu chimes in with the same tune, though in a more subdued key. "Many of the Flemings," he writes, "complain, I am told, of their way of life, and none are contented. The worst is, there is good reason for this. But breathe it to no one," adds the cautious secretary. "His majesty," he continues, "is in excellent condition, growing fresher and fatter every day. There is not one of the household to compare with him in health. As for the rest of us, indeed, we are all on the sick-list."

It may well be imagined that the household were careful not to betray their discontent to their master. If they did, he gave little heed to it. He had not that light and fickle temper which would readily render him disgusted with his own plans. He had reached at last the quiet haven he had so long sighed for; and now that he was relieved from the burden of sovereignty, which of late years had bowed him to the earth, his weary spirit welcomed the repose which it found in the shades of Yuste. Not that he had lost his interest in public affairs. Far from this, as we shall soon see, his advice in respect to them—the precious fruit of his large experience—was as freely given as it was asked. But it was only as an adviser, not as an actor, that he now appeared; and it was a great thing to be discharged from the wearing responsibility which had robbed him of his rest by night, and turned his hairs gray before the prime of manhood.

It is not strange that both health and spirits should have improved under the influence of his present regular way of life. Not that this was in all respects the most judicious possible. The free indulgence of his appetite, which had been his besetting sin in the world, still clung to him in the cloister; and his friends, with indiscreet kindness, continued to tempt him by presents of pernicious dainties at Yuste, in the same manner as they had done at Jarandilla. But the evil consequences were counteracted, to a considerable extent, by the circumstances of his present position. In the fine weather of the spring and summer he was much in the open air. He took pleasure in pruning his young trees and tending his plants. He was fond of a garden; and we are indebted to him, it is said, for the introduction into Europe of the little garden pink, which he brought back from his African campaigns, and which will continue to bloom when the wreath of the conqueror shall have faded and been forgotten. He found occupation for his leisure in building the terrace already noticed, on a level with the second floor of his mansion, planting it with orange-trees, and ornamenting it with flowers and fountains that filled the air with a cool and delicious fragrance.

In early days Charles had been passionately fond of field-sports. He would follow the chase with such eagerness as to leave his attendants far

behind, and sometimes to lose himself among the mountains. When he found his way back, led by some peasant guide late in the evening, lights were in the windows of all the houses, and the bells were ringing to call the people together to go in search of him. These were the days when he was accounted "the most perfect cavalier of his time;" when a soldier-chronicler could lament that "the best light-horseman in the world was spoiled by Charles's having been born to a throne." It was in these days that he carried off the prizes at the Moorish tilt of reeds and at the Christian tourney; when, it was said, he even coveted the honours of the *matador*, and, with the national spirit of the old Castilian, would descend into the arena and contend against the bull. But all this was changed; and many a year had passed since the emperor had mounted his war-horse, or followed the chase in the German forests or the wild passes of the Alpuxarras. In place of his noble stud, he had brought with him to Yuste only a one-eyed pony and a mule. Once only did he venture into the saddle, when he was seized with a giddiness which compelled him hastily to dismount. The poor emperor was as little able to ride as to walk. Henceforth his only mode of conveyance, when he went beyond the boundaries of the garden, was the litter or the arm-chair,—most frequently the latter,—borne by his attendants. Yet he would still occasionally endeavour to revive the recollections of his sporting days by an excursion into the neighbouring woods, where he would do some execution on such birds as came within the range of his fowling-piece. Gaztelu, in a letter dated the fifth of June, mentions, with great satisfaction, that his master had been strong enough to rise from his seat without aid and shoot two pigeons with his arquebuse.

The tranquillity of Charles's present way of life suited his taste so well that he made arrangements not only for embellishing his house, but for extending it and rendering it more comfortable as a permanent residence. A stove of curious construction was ordered to be sent from Quixada's place at Villagarcia, whither it had been brought from Flanders. A suit of tapestry from the Flemish looms, displaying the emperor's campaign against Tunis, which still adorns the queen's palace at Madrid, was also received at Yuste. Charles further amused himself with designs for an oratory, as well as with a more extended plan for a new building, which he intended for the reception of Philip when he should return to Spain. He looked forward with the greatest interest to a visit from his son, and talked to the monks of the arrangements that it would be necessary to make for the king's accommodation. Philip did indeed make his visit to the convent, but not till twelve years had passed away, when his father had long since gone to his rest, and, after "life's fitful fever," lay quietly sleeping in the vaults of Yuste.

BOOK III.

Erroneous Opinions respecting Charles—His Interest in Public Affairs—Luis de Avila—Petty Annoyances—Visit of Francisco Borja—Charles's Memoirs of Himself—Visit of his Sisters to Yuste—Death of Queen Eleanor—Charles's Resignation of the Imperial Title—His Zeal for the Faith.

It has been a commonly received opinion that Charles the Fifth, on entering his monastic retreat, conformed so far to the spirit of the place as to abjure all connection with temporal concerns and to devote himself entirely to the great work of his own salvation. This opinion found favour with the ancient chroniclers, who, as we have intimated, thought by it to enhance the value of the sacrifice made by a monarch who could descend from the proudest pinnacle of earthly grandeur to bury himself in a convent. "He was as completely withdrawn from the business of the kingdom and the concerns of the government," says one historian, "as if he had never taken part in them;"—"so entirely abstracted in his solitude," says another contemporary, "that neither the arrival of the treasures brought in his fleets from the Indies, nor the sound of arms, amidst which his life had been hitherto passed, had any power to disturb his tranquillity." Yet the same writer tells us that, on one occasion, the minister Granvelle having remarked to Philip the Second that it was the anniversary of the day on which his father had abdicated the government. "True," replied the king, "and the anniversary also of the day on which he repented having done so." The incorrectness of these statements is proved by the letters of Charles himself, as well as by those of his household, from the convent of Yuste.

When the monarch took up his abode among the Jeronymites, the affairs of Philip wore a gloomy and most disheartening aspect. We have seen, in a former chapter, the disgust expressed by Charles at the truce which the duke of Alva, when in the full tide of his victorious career, had made with the Roman pontiff, and which, the emperor predicted, would only serve to give breathing-time to the enemy and enable him to gather strength to renew the struggle. The French king had profited by it to push his army across the Alps, under the command of the duke of Guise, whose brilliant defence of Metz, some years previous, against the best troops of Spain, with the emperor at their head, had established his military reputation. This gallant chieftain, descending towards the south, after a junction with the papal troops, crossed the frontiers of Naples, at the head of his army, and fell with pitiless fury on the flourishing towns and hamlets that lay along the borders. A considerable force, at the same time, under Coligni, governor of Picardy, menaced Flanders with an invasion on the west; while Solyman the Magnificent was invited to co-operate with the two Christian powers and make a descent on the Spanish settlements on the Mediterranean. With the tempest thus gathering around him from every quarter, the young and inexperienced Philip naturally turned

for support to the parent by whose sagacious counsels he had been guided through the whole of his life. He despatched his confidential minister, Ruy Gomez, afterwards prince of Eboli, to Yuste, with instructions to obtain from the emperor his advice as to the best mode of conducting the war. He was to solicit him in the most humble manner, and to urge him with every argument he could think of, not merely to give his advice, but to leave the monastery for a time, and take up his residence in some place suited to his health, where by his personal presence and authority he might assume the direction of affairs. Such a step could not fail to insure success. The mere report of it would strike terror into the enemies of Spain and disconcert their measures.

Ruy Gomez reached the convent on the twenty-third day of March, 1557. He was graciously received by Charles, who paid him the extraordinary compliment of ordering Quixada to prepare an apartment for him in the palace. Two days the accomplished envoy of Philip remained at Yuste ; and five hours of each day he passed in the cabinet of the emperor, who thus had full opportunity of communicating his own views in regard to the state of affairs and the best mode of arranging the plan of the campaign. Ruy Gomez had been directed to state to Charles the embarrassments under which Philip laboured from the want of funds ; and, as the attention of the latter was necessarily engaged by the operations in the field, the emperor was to be urged, with all the address of which the envoy was capable, to take charge of the financial department himself, to devise the means for raising the necessary supplies and to superintend their punctual remittance to the seat of war.

Charles had no mind to leave the quiet haven where he was now moored and throw himself again on the troubled sea of political life. But he renewed a promise which he had already made by letter to his son, to aid him by word and deed, as far as was in his power in his retirement. He engaged, moreover, to do all that he could in the way of providing him with money, "fearing," as he afterwards wrote, "he could be of little use to him in any other way." This, the most burdensome duty of government, was particularly so in an age when the resources of a country were so little understood, and when, in default of any sure and well-arranged system of taxation, it was usual to resort to benevolences, monopolies, loans at exorbitant interest, and other temporary shifts, that entailed a heritage of woe on the nation. Of this Philip the Second himself lived long enough to have dismal experience. That the emperor should have taken charge, to any extent, of this department, is a sufficient refutation of those idle calumnies which accuse the son of parsimony in his dealings with his father ; since it was not Philip who was to supply Charles with funds, but Charles who was to supply Philip.

The emperor, faithful to his engagements, caused letters to be written—occasionally, when his fingers were in condition for it, writing with his own hand—to his daughter, the regent, and to her secretary, Vazquez. In these he indicated the places to be defended, the troops to be raised, and the best mode of providing the funds. He especially recommended a benevolence from the clergy, and made application himself to some of the great dignitaries of the Church. By these means considerable sums were raised, and remittances, under his vigorous direction, were forthwith made to the duke of Alva, who was thus enabled to prosecute the Italian campaign with vigour. In this way did Charles, even in his retirement, render effectual service to his son. His counsels may be said to have directed the policy of the regent's court at Valladolid ; and the despatches from Yuste were held in much the same deference as the edicts which had formerly issued from the imperial cabinet.

In his financial concerns, Charles experienced annoyance from a quarter

whence he had little expected it. It was required that all the bullion brought home in the Indian fleets, whether on public or private account, should be lodged in the keeping of the *Casa de la Contratacion*, or Board of Trade, at Seville. There it was duly registered; and the government had been in the habit of applying it to its own use when the exigencies of the state seemed to require it, giving bonds to the owners by way of security for its repayment. At the present time the amount of gold registered was no less than five millions of ducats,—an important fund, on which Philip relied for meeting the expenses of the war. But the merchants of Seville, to whom a great part of the treasure belonged, naturally preferring their gold to government paper, had, with the collusion of some of the officers of the Board of Trade, secretly transferred the bullion from the vaults where it was lodged to their own quarters. When Philip was made acquainted with this high-handed proceeding, his perplexity was extreme; and he gave vent to his indignation in a letter to Joanna, in which he denounced the parties implicated as enemies to their country, who "not only made war on the property of their sovereign, but on his honour and reputation."

But Philip's indignation was light in comparison with the wrath of his father; or habit had enabled him to put a stronger curb on the indulgence of it. Charles regarded the transaction with the eye of a despotic prince, who sees only one side in a case where the government is a party; and he held the merchants who had thus taken possession of their property as so many knaves who had robbed the exchequer. The officers who had connived at it he held as offenders of a still deeper dye. "Were it not for my infirmities," he writes to Joanna, "I would go to Seville myself, find out the authors of this villany, and bring them to a speedy reckoning." In a letter to the secretary Vazquez, he says, "The culprits should be arrested, put in irons, and removed, under a strong guard, to Simancas, where they should be thrown into a dungeon, and their effects sequestrated, until the king's pleasure can be known." "Indeed," writes his secretary, Gaztelu, in another letter of the same date, "such is the emperor's indignation, and such are the violent and bloodthirsty expressions he commands me to use, that you will pardon me if my language is not so temperate as it might be."

The stern mandates were obeyed. The guilty functionaries were deposed from their offices and imprisoned in Simancas, where one of their number perished miserably from the injuries he suffered on the rack. But the gold was not recovered. Charles, however, shrewdly provided against the recurrence of the proceeding, by ordering a vessel at once to be despatched to the Azores, where it would meet the India fleet on its return, and measures might be arranged for defeating any attempt of the merchants to recover their gold on its arrival at Seville.

Cheering news now arrived from the seat of war. Tidings were brought to Yuste that the English had at length made common cause with Spain. The news, writes Gaztelu to the secretary Vazquez, gave infinite pleasure to his majesty, "who," he adds in the next sentence, "was no less delighted with the seeds you sent him, as he will now have plenty of melons, of which he is very fond, for his table next summer." Every new contribution to the imperial bill of fare, whether in the form of fruit or flesh, was sure to receive honourable mention in the despatches from Yuste.

Soon after came the welcome intelligence of the victory of St. Quentin, where the Constable Montmorency was made prisoner, and the flower of the French chivalry fell on the field of battle. The tidings caused a great sensation in the imperial household, and the joy of Charles was unbounded. He looked on it

as an auspicious augury for the beginning of Philip's reign, like that great victory of Pavia which had heralded in his own. He rewarded the messenger who brought the news with sixty gold ducats and a chain of equal value. He caused processions to be formed by the monks, masses to be said in the chapel, and thanks to be offered up to Heaven for the glorious event. The only thing that damped his joy was the circumstance of his son's absence from the fight. Philip had lamented this himself, in a letter to his father. He could not lament it more sincerely than Charles did. "He cannot be consoled," wrote Quixada, "for the king's absence on that day;" and the writer forthwith proceeds to curse the English as the cause of it. Charles loved his son too tenderly, or was too politic, to throw the blame upon him. Yet he must have felt that, had he been in Philip's place, no power on earth would have been strong enough to keep him from the field where so much glory was to be won. But he soon turned from the victory to the fruits of it. "His majesty," writes Quixada, "desires exceedingly to know what course his son has taken since the battle. He is very impatient on this point, and reckons that he must already be under the walls of Paris." He judged of Philip's temper by his own. But there was a wide difference between them. Charles, bold and determined, would have pressed on towards the capital while the enemy was stunned by the blow he had received. But Philip was sluggish in his movements. He was of a more cautious nature. Charles counted the chances of success. Philip calculated those of failure. He called to mind his father's invasion of France and his disastrous retreat; when the Spaniards, it was tauntingly said, "marched into the country feasting on turkeys, but were glad to escape from it feeding on roots." Instead of striking into the interior, therefore, Philip took the more prudent course of besieging the fortified places in the neighbourhood. In his operations, his father was of no small assistance to him by exerting his authority, and by writing in the most pressing terms to the regent to lose no time in making the remittances to the king, so essential to the success of the campaign.

Yuste now became the centre of political movement. Couriers were constantly passing between that place and the courts of Brussels and Valladolid. Envoys arrived at the convent, not only from those courts, but from foreign princes, to conduct negotiations with Charles in person. It came soon to be understood that the abdicated monarch was not immured in the cell of a monk, and that his will still exercised a potent influence on public affairs. Many were the pilgrimages now made to Yuste by suitors who came to request his good offices in their behalf, or by parties who sought redress of grievances, or by the great lords, who came simply to pay their homage to their former master. Among the latter was the old count of Ureña, who came with such a throng of servants and horses that Quixada found it no easy matter to provide for him. On the major-domo devolved all the duties of the commissariat; and, as no one lodged at Yuste, he was compelled to find accommodations for the visitors at Cuacos. "I am obliged to play the landlord to every one who comes here," he complains in one of his letters, "and to act as the agent of every man in Spain." "Night never comes," he elsewhere laments, "without my feet aching more than I can bear; and there is not a day in which I am not on my legs at least half a dozen hours, waiting on the emperor,—to say nothing of the time spent in running here and there in the way of my vocation." When Charles's health permitted it, and he was in a cheerful mood, he usually gave a gracious reception to his visitors. At other times he would refuse to see them, as was the case with the admiral of Aragon, who came to interest the emperor in his suit against the grand master of the order of

Montesa. On these occasions he would turn them over to his major-domo, or refer them at once, for the settlement of their affairs, to the court of Brussels or Valladolid. "If he had given audience to all who came there," exclaims a Jeronymite chronicler then resident at the convent, "he would have turned Yuste itself into a court."

There was one class of applicants who seemed to have a peculiar claim on his attention,—the widows of the soldiers who had served under his banner in Africa and in Europe. The sight of these poor women, which called to mind the day of his military renown, seems to have touched the heart of the old campaigner; and it was rare that their business did not speed as favourably as they could have desired.

Among the visitors, two are deserving of particular notice, from their personal relations with the emperor. One of these was Sepulveda, who, after officiating as his chaplain, had been appointed by Charles to the post of national historiographer. He was a man of learning, and preferred to write his works in the Latin tongue, thinking probably, with the English poet, that

> "Those who lasting marble seek
> Must carve in Latin or in Greek."

He was distinguished, indeed, by such a fluent elegance of style that he received the name of the Spanish Livy. Charles held the historian in great esteem, in proof of which, as Sepulveda was getting old, the monarch ordered particular care to be taken that no harm should come to his manuscript, in case of its author's death before it had been put to the press.

The emperor felt a solicitude, not unnatural in one who had performed so great achievements, as to the manner in which they might be presented on the page of history. Few writers who had hitherto dealt with his character had satisfied him. Two of the principal, Sleidan and Paulo Giovio, he used to call "his two liars,"—the one because of his slanders, the other because of his flattery. He looked to Sepulveda to do him justice; to do for him with his pen what Titian had done for him with his pencil,—exhibit him in his true proportions, and in a permanent form, to the eye of posterity. The historian had been lately raised to the dignity of arch-priest of Ledesma. He had now come, after an absence of many years in Germany, to take possession of his benefice and lay his bones in his native land. On his journey through the country he deviated from his route in order to pay his respects to his ancient lord. He was kindly received by Charles, and, during the few days he passed at Yuste, Sepulveda, who seems at that time to have been employed on the emperor's biography, had the means of gathering some important information from the subject of his narrative. When, however, he proposed to read to Charles what he had already written, the monarch refused to listen to it. "I will neither hear nor read," said he, "what people have written of me. Others may do this, after I am gone. But, if you wish for information on any point, you have only to ask, and I will willingly give it."

How free he was from that petty vanity which, like a flaw in some noble piece of statuary, sometimes disfigures even the fairest character, may be seen also by his remarks to the historian Avila. That accomplished courtier and soldier, who, after fighting by his master's side in his wars against the German Protestants, had spread the fame of his exploits over Christendom by his elegant Commentaries, resided, as we have already seen, in the city of Plasencia. Here the weary statesman, withdrawn from public affairs, was passing the evening of his days in elegant retirement, embellishing his residence with costly works of art, and amusing his leisure with the composition of an

historical work on the emperor's campaigns in Africa, which was to form a counterpart to his previous Commentaries. The work, much commended by those critics of the time who had access to it, has met with a fate by no means rare in Spain, and still remains in manuscript. As Plasencia was but a few leagues from Yuste, the grand commander made frequent visits to the convent, where he was sure to receive a gracious welcome from the emperor. Avila's splendid mansion in Plasencia was adorned with more than one picture commemorating the deeds of his favourite hero. Among other subjects was the battle of Renti, painted in fresco on one of the ceilings. This was a bloody fight, attended with so doubtful an issue that both sides claimed the victory. Avila, however, had no doubts on the matter, and, like a true-hearted hidalgo, had caused the French to be represented as put to a shameful rout, and flying off the field, in all directions, before the conquering Spaniards. This did not altogether please the emperor, who, when Avila had described the picture to him, remarked that "it was not correct; that, far from being routed, the French had made a well-ordered retreat; and that the artist must go over his work again and make it conformable to truth."

There was no one of the household at Yuste who took so deep an interest in the progress of the campaign then going on in Picardy as Charles himself. His first question, on waking in the morning, was whether anything new had been received from the seat of war. He listened to the despatches with great attention, inquiring whether there was nothing further, and frequently causing them to be read to him more than once. He was always desirous to get letters from his son, and would sometimes complain that they were too short. Indeed, Philip, however attentive he may have been to the wishes and want; of his father in other respects, cannot be acquitted of a degree of negligence amounting almost to ingratitude, in not furnishing him with the information which he so much coveted in respect to the course of public events. The letters which he wrote to his father while in Yuste did not exceed six in number. Philip, on the throne, did not find so much time for writing letters as his father, at Yuste, did for reading them.

The great interest, and indeed the active part, which Charles took in the management of affairs, led to the report that he was about to leave the convent and assume the command of the army in Navarre. He seems to have taken no pains to contradict the rumour, thinking, perhaps, with Philip, that such an expectation might be of service to the cause. That it imposed on Avila seems pretty evident from a letter of his, dated the thirteenth of August, to the secretary Vazquez. "I have left *Brother Charles*," he writes, "in a state of perfect tranquillity, and with full confidence in his strength. He thinks he has quite enough to enable him to leave the convent Since I was there, things may have changed; but there is nothing of which I do not believe him capable, from the love he bears his son, as well as from his courageous heart and his early habits, for he has been nourished in war, as the salamander, they say, is bred in the fire." Quixada was not so easily duped by appearances. On his return from Villagarcia, where he had been to visit his family, he wrote, "As to what people here say of his majesty's quitting the place, there are no grounds for it. I observe no change in him; but, on the contrary, a decided feeling of contentment and repose. If he has said anything to encourage the idea, it must have been from mere policy. The thing is impossible."

Navarre, thus assigned as the theatre on which Charles was to make his reappearance before the world, was the subject of a long and perplexing negotiation at Yuste. The country was a conquest of his grandfather, Ferdinand

the Catholic, and now formed an integral part of the Spanish monarchy. The emperor had always entertained some doubt—as well he might—of the justice of this acquisition, and some scruples of conscience as to his right to retain it. These scruples, however, were not by any means so powerful as to compel him to a restitution. They were, indeed, such as might be said rather to tease than to torment his conscience; and he quieted them altogether by means of a secret clause in his will, dated some years before his abdication, in which he enjoined on his successor to look carefully into the matter and do what was right in it. Having thus happily relieved his conscience of all further responsibility in the affair, he seems to have discharged it from his thoughts. It was, however, again brought before him by the aggrieved party.

The right of the dethroned family had vested in Antony of Bourbon, duke of Vendôme, who had married the heiress of the house of Albret. This prince, styled by the French writers king of Navarre, would willingly have exchanged his barren sovereignty for a substantial consideration, like the duchy of Milan, or some other territory which the Spanish crown possessed in Italy. This was the object of a negotiation brought before Charles by the duke's emissaries at Burgos, resumed afterwards at Jarandilla, and finally conducted with great pertinacity and prolixity at Yuste. It was not the purpose of the Spanish government either to make restitution or compensation to Vendôme. But he was still possessed of that portion of the patrimony of the house of Albret which lay north of the Pyrenees; and were he to throw himself into the arms of France he might afford obvious facilities to the enemy for an invasion of Navarre. It was well, therefore, to amuse him by encouraging his hopes, so as to gain time. "At all events," wrote the emperor to his daughter, "we cannot fail to profit by drawing out the negotiations as long as possible." When, however, Navarre had been put in a proper posture of defence, and the army was sufficiently strengthened to resist invasion, the government took a more decided tone; and the conferences were abruptly closed by Charles, who ordered Vendôme to be told that, "since he had rejected the proposals made to him, neither the emperor nor his son would have anything more to do with him." It is evident that the crafty policy which had distinguished the emperor on the throne did not desert him in the cloister.

The tidings from Italy were now of the most encouraging kind. Every courier brought accounts of fresh successes of the duke of Alva. That able commander, with the help of the funds remitted from Spain, for which he was greatly indebted to Charles's exertions, had got together a force large enough to enable him to make head against his rival, the duke of Guise. He accordingly marched rapidly towards the north. As he advanced, the places which had been conquered by the French threw open their gates to receive him. Guise hardly waited for his arrival; and Alva, without the hazard of a battle, drove his enemy across the borders. He then fell with his whole strength on the papal territory. City and hamlet went down before him; and Paul the Fourth, from his palace of the Vatican, might descry the course of the enemy's march by the smoking ruins of the Campagna. The duke even brought his victorious legions up to the gates of the capital. For a few hours the fate of Rome trembled in the balance, as the Spanish general threatened to repeat the bloody drama which had been acted by the constable of Bourbon, and which still lingered in the memory of many a Roman. The panic of the inhabitants was fearful. With frantic cries they called on Paul to come to terms with the enemy. The arrogant pontiff saw that the mood of the people was a dangerous one, and that no alternative remained but to submit. In this hour of humiliation, the clemency—the superstition of his enemies converted his humiliation into triumph.

Philip had long felt that there was neither profit nor honour to be gained from a war with the pope. Nothing, indeed, but the reckless violence of Paul could have forced him into a war with the Church, opposed as such a step was to both his principles and his established policy. It was as the champion of the Church, not as its assailant, that Philip would stand before the world. He instructed Alva to extricate him from his present position by coming to terms as soon as possible with his holiness. A treaty was accordingly signed, on the fourteenth of September, by which it was agreed that all conquests made from the Church should be restored to it, and that the Spanish commander should publicly ask pardon for having borne arms against the Holy See. It was a treaty, as Alva bluntly remarked, "that seemed to have been dictated by the vanquished rather than the victor." There was no help for it, however. The orders of Philip were peremptory; and Paul the Fourth, after all his disasters, had the satisfaction of seeing his enemy sue for forgiveness on his knees, and of granting him absolution. "Had I been king," said Alva, indignant at the humiliation, "his holiness should have sent one of his nephews to Brussels to sue for my pardon, instead of my general's having to sue for his."

The news of the peace was received with joy throughout Spain, where the inhabitants seemed to be as anxious as their sovereign for a reconciliation with Rome. The tidings were everywhere greeted with illuminations, bonfires, ringing of bells, and solemn processions. Joanna, with the infant Don Carlos, assisted at two of these latter, of which an account was sent by the secretary Vazquez to Yuste; where despatches were also received containing the terms of the treaty. They made a very different impression on the emperor from what they had done on the public. He had never shared in his son's scruples in regard to the war. "It was a just war," he said. "The pope could not have dealt worse with Philip if he had been a heretic; and he stood excused before God and man from the consequences of a war into which he had been driven by necessity." It was even a matter of regret at Yuste, when a courier arrived from Italy, that he brought no tidings of the death of Paul or of his mischievous counsellors, the Caraffas![1] If he had learned that Rome had been sacked by Alva, as it had formerly been by his own troops under Bourbon, it would probably have disturbed him less than the terms of the present treaty.

As he listened to the despatches, he could not repress his indignation. The secret articles, he said, were as scandalous as the public. Not a day passed, for a month afterwards, according to Quixada, without his muttering between his teeth in tones scarcely audible, but plainly intimating his discontent. When he was told that Alva was preparing to quit his government at Naples and return home, "his anger," says the secretary, "was more than was good for his health." Some time afterwards, the grand commander Avila brought him a letter from the duke, in which he expressed the hope that he might be allowed, on his return, to kiss the hand of his majesty. On this Charles did not vouchsafe a remark; and, when Avila would have read some particulars which the duke communicated in regard to the treaty, the emperor would not listen to them,—saying, he had heard too much already.

The reader has seen enough to be aware that the emperor's anger was misdirected,—that it should have fallen not on the duke, who only obeyed orders, but on the king, who gave them. Yet no reflection on his son's

[1] "Del Papa y de Caraffa se siente aqui que no haya llegado la nueva de que se han muerto, que es harto daño que se desee esto á un Vicario de Jesus Cristo, y en España, y mucho mayor que dé ocasion el Papa para ello." Carta de Martin de Gaztelu á Vazquez de Molina, 8 de Noviembre 1556, MS.—I give the original, as I have not seen this remarkable passage quoted elsewhere, and the letter containing it is not in Gachard's printed collection.

conduct escaped his lips; and, as it was necessary that his wrath should find some object on which to expend itself, Alva, the agent who carried the obnoxious measures into execution, became the scape-goat. Charles, indeed, seems to have persuaded himself that he deserved to be so. When the monarch learned, shortly before his death, that his son had bestowed on his general the sum of a hundred and fifty thousand ducats, "He has done more for the duke," exclaimed the emperor, "than the duke ever did for him."

Unfortunately, at the time of receiving the Italian news the emperor was smarting under an attack of gout,—the more severe, perhaps, from the long interval which had elapsed since the preceding one. The disturbance caused by the unwelcome tidings no doubt aggravated the disorder; and his bodily pains by no means served to allay the irritation of his temper. "It was the sharpest attack," he said, "he had ever experienced." Sixteen ounces of blood were taken from him by his physician on one day; and Quixada, who feared the consequences of his master's plethoric habit and self-indulgence at the table, expressed a wish that, instead of sixteen ounces, it had been thirty.

To add to Charles's disgust at this time, he was exposed to some of those petty annoyances that are often quite as trying to the temper as those of a more serious nature. The inhabitants of the adjoining village of Cuacos seem to have been a rude, unmannerly race, showing but little of the reverence that might have been expected for the illustrious recluse who had taken up his residence in their neighbourhood. They seized and impounded his cattle when they strayed from their pastures. They fished in the streams which were reserved to supply his table with trout. They plundered his orchards, quarrelled with his domestics,—in short, contrived in a hundred ways to inflict on him those annoyances of which he had had no experience until he descended into a private station. This was rendered the more disagreeable from the fact that the people of Cuacos had been in a peculiar manner the subjects of the emperor's bounty since his residence among them. From the time he came to Yuste he had been in the habit of appropriating a part of his revenue to charitable uses, dispensing a liberal sum, through his almoner, for the relief of the peasantry in the *Vera*, releasing poor debtors from prison, and providing marriage-portions for the young maidens. Cuacos, where many of his household lodged, had reaped the full benefit of his charities. There was abundant occasion for them during the first summer of Charles's convent life, when the crops failed to such an extent that many persons actually perished of famine. The distress of the peasantry was so great that they were driven to plunder the emperor's sumpter mules on their way to the convent.

At his request, the government had appointed a magistrate to act as a sort of rural judge of the district, with authority to decide in cases in which the emperor was a party. By his assistance, several of the culprits were brought to justice; but, through Charles's interposition, the punishment was a light one. A depredation of a serious nature was committed in his own house, where eight hundred ducats were purloined from his coffers. The theft must have been perpetrated by one of his family; and the judge recommended the application of the torture,—the most effectual mode of extracting evidence in that day. The emperor, however, would not consent to it, and put a stop to further proceedings, wisely remarking, at the same time, that "there were some cases in which it was as well not to know the truth."

On the eleventh of June died John the Third, king of Portugal. He had married the emperor's youngest sister, Catharine, whom he intrusted by his will both with the regency of the kingdom and the guardianship of his grandson and infant heir to the crown, Don Sebastian,—the prince whose quixotic

adventures and mysterious fate, turning history into romance, furnish the most extraordinary pages in the Portuguese annals. The young prince was also grandson of Charles, being the child of his daughter, Joanna, and the only fruit of her short-lived union with the prince of Portugal. Joanna felt herself much aggrieved by the will of her father-in-law, conceiving that she had a better title than Queen Catherine both to the regency and to the guardianship of the boy. She accordingly sent an envoy, Don Fadrique Henriquez de Guzman, charged with letters to the queen-regent and to some of the great lords, in which she set forth her pretensions. Don Fadrique stopped at Yuste to acquaint the emperor with the purport of his mission. Charles saw at once the mischief that might arise from the interference of his daughter in this delicate business. Without hesitation he took possession of the despatches, and substituted others in their place, addressed to the queen, his sister, in which he condoled with her on her late bereavement and offered the consolations of an affectionate brother. At the same time, he wrote to his daughter, stating what he had done, and gently rebuking her for an interference which might well lead to a serious misunderstanding between the courts of Spain and Portugal. He concluded his paternal homily by reminding her how important it was for members of the same family to maintain an affectionate intercourse with one another. The course so promptly taken by Charles on this occasion shows how absolute was the control which he exercised in his seclusion, and the deference which was paid to it even by persons highest in authority.

While the emperor thus wisely stopped the negotiations of his daughter, he opened one on his own account with the queen-regent of Portugal. The object of this was to secure to his grandson, Carlos, the succession to that crown in case of the death of the young Sebastian. This would unite under one sceptre the different states of the Peninsula. The project failed; for the national spirit of the Portuguese, always jealous of their Spanish neighbours, made it too hazardous for Catherine to entertain it for a moment; and Charles was persuaded by her arguments to renounce it. It was a grand idea, however, that of thus bringing together two nations which, by community of race, language, and religion, would seem originally to have been designed for one. It shows how, in the depth of the cloisters, Charles's comprehensive mind was occupied with the interests of his country. Events were not ripe for such a consummation. But it would have gladdened the heart of the great emperor could he have foreseen that a quarter of a century would not elapse before it would be achieved by his own son.

The man whom Charles had employed on this delicate and confidential mission was no other than his friend Francisco Borja. The good father chose to perform his journey on foot; and the fatigue of travel threw him into a fever, which had wellnigh ended his earthly pilgrimage. On his return, he passed some two or three days at Yuste, where he was cordially welcomed; for between the imperial recluse and the noble Jesuit similarity of circumstances had created a sympathy such as existed between Charles and no other person. Brother Francis, if we may take the word of his biographers, even received the extraordinary compliment of being lodged in the palace, where he was supplied, each day, with a dish from the emperor's table.

The conversation of the two friends naturally turned on the circumstances of their situation. In the course of it, the emperor regretted that his infirmities were such as not to allow him to perform the penance he wished, by dispensing with a bed and lying in his clothes all night. Brother Francis slept in his frock, and on a board. "It is," replied the Jesuit, in the courtly strain which savoured of his early breeding, "because your majesty has so long

watched in your armour that you cannot now sleep in your clothes. But, Heaven be praised! you have done more good by the vigils you have kept in defence of the Faith than was ever done by monks who have slept all night in hair-cloth."

Some allusion having been made to Borja's children, Charles was surprised to find how entirely his friend's devotion to his new calling had absorbed his sympathies, to the exclusion of those who were nearest and should have been dearest to him. It was otherwise with the emperor, whose attachment to his own family was in no degree blunted by his cloister life.

One curious point of casuistry was submitted by the monarch to his guest. Charles wished to know if there could be anything wrong in a man's writing his own biography, provided it were done in good faith and nothing set down from vanity. He had written his memoirs, he added, from no desire of self-glorification, but simply to correct sundry errors which had been circulated of him, and to exhibit his conduct in its true light. "Should you find," he said, "that my pen has been guided by secret vanity,—for I am aware that the heart is a great deceiver in these matters,—I would throw it down at once, and give what I have written to the wind, since it would be as empty as the wind." One would have liked to be edified by the father's answer, which, unfortunately, has not been preserved. We can hardly imagine that he could have insisted on the suppression of a work conducted on such sound principles and of such interest to the world. But it has never come to light.

That Charles did write such an autobiography, or a portion of it, is proved by other evidence. His learned chamberlain, Van Male, assures his correspondent that his master, when sailing on the Rhine, wrote an account of his journeys and his military expeditions to as late a date as 1550. A work compiled under such circumstances could have been little more than a sketch,—unless we suppose that the composition then begun was completed in the leisure of later years. That it was something more than a fragment seems probable from the general tone of Van Male's remarks, who commends it, moreover, for the elegance of the style, as well as for its dignified tone and its fidelity to historic truth. The admiring chamberlain deeply regrets that the emperor will not give his production to the public, but "keeps it locked under a hundred keys." It seems, however, he obtained his master's consent to make a Latin translation of the work, which, with much self-complacency, he proposes to execute in "a style that should combine the separate merits of Tacitus, Livy, Suetonius, and Cæsar."

Unhappily, the world was not destined to profit by this rare style of composition; for, on his master's death, Luis Quixada—as the poor chamberlain used afterwards to complain with tears in his eyes—entered his apartment and carried off the emperor's manuscript. He remembered enough of its contents, he was wont to add, to compose another memoir of the emperor, which he intended to do. On his death, which occurred only two years later, Philip ordered that the poor gentleman's papers should be searched, and that any which might be found relating to the emperor should be sent to him, to be thrown into the fire. No such memoir was found, however; and the report ran that Van Male had burnt most of his papers before his death. It may seem strange that Philip should have desired to destroy a history of his father compiled by one who, from his daily intercourse with him, had enjoyed the best means of information. Perhaps it was for that very reason that he wished to destroy it. Van Male had been behind the scenes where the purple was laid aside. Philip considered that a king was hedged round with a peculiar sanctity, which the prying eye of the vulgar was not to penetrate. He

would have his father presented to the world as a hero; and no man, he knew, was a hero to his *valet de chambre*.[2]

What was the precise character of Charles's autobiography we have no means of determining. War had been the great business of his life; and, from the hints dropped by Van Male, it is not improbable that the work consisted of military memoirs, fashioned, it may be, on Cæsar's Commentaries, which he held in great esteem, and a translation of which was among the small collection of volumes he took with him to Yuste. But, however this may be, anything relating to the times from the pen of one who may be said to have controlled the politics of Europe for nearly half a century, would be of inestimable value; and the loss of such a work must be deplored by every friend of science.

In the latter part of September, Yuste was honoured by the presence of the emperor's two sisters, the dowager queens of France and Hungary. When he had been advised of their coming, considering that the palace would afford no accommodation for the royal ladies with their numerous train, he ordered Quixada to find lodgings for them at Jarandilla,—probably in the same hospitable halls of Oropesa where he had himself found a shelter. The poor major-domo, who found it no easy matter to provide for the royal household from the famine-stricken *Vera*, was driven to his wit's ends by the prospect of the new demands that were to be made on his larder. "We can give their majesties plenty of ice," he wrote to his friend, the secretary of state, "and that is the greatest dainty we can give them."

Charles, who had not seen his sisters since he parted from them at Valladolid, received them with much kindness. To Eleanor, the ex-queen of France and Portugal, he was particularly attached. Her gentle manners and amiable character made her generally beloved. Mary's masculine understanding rendered her a more fitting companion for his business hours. She was often closeted with him in his cabinet, where they would read over the last despatches from the seat of war. Charles deferred much to her judgment, which had been sharpened by long practice in affairs of government. He seems to have always entertained a high opinion of the capacity of the sex. His earliest years had been spent at the court of a woman, his aunt, Margaret of Savoy, who swayed the viceregal sceptre of the Netherlands with great ability; and when it passed into the hands of Mary she acquitted herself with no less credit in a post that proved so embarrassing to her successors. Indeed, Charles had so high an opinion of his sister that he would willingly have associated her in the regency of Spain with his daughter Joanna, who had by no means the efficiency of her aunt,—perhaps, the emperor may have thought, not enough for the present critical time. She had spirit enough, however, to decline any partner in the government, much more her aunt of Hungary, who, she said, "was so ambitious of power that she should find herself very soon reduced to a cipher." The project, accordingly, was abandoned. Mary requited her brother's confidence by regarding him with feelings little short of idolatry,—speaking of him as "her all in this world after God."

[2] M. Gachard, in the second volume of his "*Retraite et Mort de Charles-Quint*" (Preface, p. 156), which has made its appearance since the text above was written, notices, as one of the items in an inventory of the emperor's effects prepared by order of his executors, a velvet bag containing papers formerly in the possession of Van Male, and taken from him by Luis Quixada and afterwards placed in the hands of the king. This confirms the truth of Van Male's own statement, and leads very naturally to the conclusion that among these papers was the memoir of Charles the Fifth. Of their subsequent fate we know nothing. But this should not surprise us. There is more than one well-attested instance on record of Philip's having destroyed documents that he did not care should meet the eye of posterity.

During nearly three months which the royal matrons passed at Jarandilla, Eleanor was prevented by her feeble health from visiting the convent more than two or three times. Her more robust sister, fond of the saddle and indifferent to the weather, would often gallop through the autumnal woods to Yuste and pass a few hours with the emperor, rarely, however, staying long enough to enliven his solitary repast with her presence. Indeed, it does not appear that she received much encouragement to do so. After the queens had been a few days at Jarandilla, Quixada inquired of his master whether it would not be better to provide quarters for them at Yuste. But Charles replied that it was best as it was; that they could come over and transact their business when they had a mind, and then go back again. "And since that is his majesty's will in the matter," concludes the major-domo, "there is nothing further to be said."

While at Jarandilla, arrangements were made for an interview between Eleanor and the infanta, Mary of Portugal, her only daughter, by Emmanuel the Great. It was twenty-five years since she had seen her child, and she longed with a mother's yearning to have her remove to Spain, where the queen during the brief remainder of her days might enjoy the consolation of her daughter's society. But Mary, who had been born and bred in Portugal, where she continued after her widowed mother had given her hand to Francis the First, had no mind to leave her native land, still less to live in Spain. It had once been proposed to unite her to her cousin Philip, and she may have resented the indignity put on her by that prince when, in obedience to his politic father, he had transferred his heart—at least his hand—from Mary of Portugal to his kinswoman Mary of England. It is certain, too, that the infanta was much under the influence of the clergy, who profited too largely by her benefactions to wish to see her transfer her residence to Castile. The free hand with which she applied her revenues to religious uses gained for her a reputation little short of that of a saint. But, like some other saints, Mary seemed to think that the favour of Heaven was best to be propitiated by the sacrifice of earthly ties. However submissive to the Church she might be, she was far from being a dutiful or affectionate daughter.

The affair became the subject of an extensive correspondence, in which the emperor took part, soothing by turns the irritation of the mother and of the daughter, and endeavouring to bring them nearer to each other. In the end, after a negotiation as long and embarrassing as if a treaty between nations had been the subject, he had the satisfaction of seeing a meeting arranged between the parties in the frontier town of Badajoz. The infanta would consent to no spot farther removed from Portugal. The meeting was to take place in the coming spring; and on the fourteenth of December the two queens rode over to the convent to take leave of their brother, preparatory to their departure. Besides their usual train, he provided them with an escort, consisting of the count of Oropesa with other nobles and cavaliers, to accompany them to the place of interview. There they found the infanta, attended by a brilliant retinue of the great lords and ecclesiastics of Portugal, intimating the high consideration which she enjoyed in that country. A detachment from this body she sent forward to Yuste, to bear her compliments to her uncle the emperor.

The fond mother had the happiness of embracing the child from whom she had been separated for so many years. Both she and her sister Mary gave substantial proofs of their affection in the magnificent presents which they lavished on the infanta. Among these were jewels given by Queen Eleanor, of the value of fifty thousand gold ducats. But neither presents, nor caresses,

nor the tears of her mother, had any power to touch the heart of the infanta. She would not relent in her original purpose of remaining in Portugal. Nor would she prolong the interview beyond three weeks, at the end of which she bade a last adieu to her mother and her aunt, and, turning her back for ever on Spain, she retraced her steps to Lisbon. Her disconsolate parent, attended by the queen of Hungary, set out on a pilgrimage to Guadalupe, but had hardly gone a few leagues when she was attacked by a fever, caused in part, no doubt, by the agitation of her mind, which was soon attended with the most alarming symptoms.

While this was passing, the little community of Yuste was astounded by tidings of a disastrous character from France. The duke of Guise, mortified by the result of the Italian campaign, was desirous, by some brilliant achievement, to efface the memory of his disasters and to raise the drooping spirits of the nation The enterprise he proposed was the recovery of Calais,—that stronghold on the French soil where England had planted her foot immovably for more than two centuries The recovery of this place at some future day had been the fond hope in which the French had indulged, like that once entertained by the Moriscos on the Barbary coast of the recovery of the lost kingdom of Granada It was a hope, however, rather than an expectation. The English, on their part, were confident in the impregnable character of the place, as was implied by an inscription in bronze on the gates, which boasted that "the French would never besiege Calais till lead and iron should swim like cork." It was this confidence which proved their ruin.

Guise conducted his movements with silence and celerity. He mustered his forces, marched upon Calais in the dead of winter, and, when an enemy was least expected, presented himself before the gates. It was the first day of January, 1558. The forts which covered the place were stormed; and the town, shorn of its defences, fell an easy prey into the hands of the victors. A single week had sufficed for the conquest of the strong post which had defied the arms of England under Edward the Third for nearly a twelvemonth.

The report of this brilliant *coup-de-main* filled the country with unbounded joy. The heart of every Frenchman swelled with exultation as he learned that the foul stain was at length wiped away from the national scutcheon. The English were in the same proportion depressed by the tidings; and Philip might well tremble for the Netherlands, as he saw the bulwark removed which had hitherto served to stay the tide of invasion on that quarter. Ill news is said to travel apace. And it may be thought strange that, even in that age, an event of such interest as the loss of Calais should have been more than three weeks in getting to the regent at Valladolid, and still three days more in reaching Yuste It must be admitted to form a striking contrast to the electric speed with which intelligence is communicated in our day.

The news reached Yuste on the third of February. Charles was at the time in a low state, not having rallied as yet from his last attack of gout,—the second which he had had during the winter. Though supported by cushions in his easy-chair, he said "the pain pierced to the very bones." The courier who brought the tidings of the loss of Calais arrived in the evening. Quixada deferred communicating them to his master till the next morning, lest they should cause him a sleepless night. He judged right. Charles said, when the news was told to him, "that nothing he had ever heard had given him so much pain." It was not the loss of Calais simply that he deplored. His eye glanced to the consequences. He saw in imagination the French sweeping across the borders and carrying devastation up to the very gates of Brussels. As far back as November, having heard of preparations in France, he had

warned the government that an attempt would probably be made by the enemy to recover some of the places he had lost. He did not now waste his time in idle lament. Feeble as he was, he at once sent despatches to Valladolid, urging the regent to lose no time in forwarding remittances to her brother, as on them must depend his power of keeping the field and protecting the Netherlands against invasion. "I know," concluded Charles, "that you will require no arguments of mine to make you use all diligence in the matter. But I cannot help writing; for I feel so sensibly what may be the consequences of the late disaster, that I shall have no more peace till I learn what has been done to repair it." Thus stimulated, the government at Valladolid made extraordinary efforts; and such large remittances of funds were promptly sent to Philip as enabled him to keep on foot a force of sufficient strength to cover the frontier, and in the end—after his father's death—to dictate the terms of a peace as honourable to Spain as it was inglorious to the enemy.

While affairs abroad were in this gloomy condition, Charles was more keenly distressed by tidings of a domestic calamity. This was the death of his sister, the queen of France. The fever which had interrupted her journey, and confined her in a little town only three leagues from Badajoz, was aggravated by an attack of asthma, to which disease she had long been subject. The symptoms became every day more unfavourable. The complicated malady baffled all the skill of her physician; and it was soon evident that Eleanor's days were numbered. Gaztelu, the emperor's secretary, had been sent by him with despatches forthe queen of Hungary. He arrived just in time to receive the last instructions of her sister. He found the dying queen in full possession of her faculties, waiting with resignation for the hour when her gentle spirit should be released. She charged the secretary with many tender remembrances for her brother, whom she besought with all humility, by the love he had always borne her, to watch over the interests of her child when she should be no more here to do it herself. Her last thoughts were occupied with the daughter who had made so poor a requital for her tenderness. By her will she made her the sole heir to the extensive estates she possessed both in France and Spain, which, combined with the large domains belonging to the infanta in Portugal, made her the most splendid match in Christendom. But, though proposals were made for her alliance with more than one prince, it was the destiny of Mary of Avis to live and die a maid. She survived her mother but a few years; and the greater part of her princely patrimony she devoted, at her death, to the endowment of convents and chapels, and other religious uses, for which she is held in reverence by the Portuguese chroniclers, and her memory cherished as that of one who had died in the odour of sanctity.

The emperor, at the time of his sister's illness, was suffering from a fourth attack of gout, no doubt much exasperated by the state of his mind. It was so severe as to confine him for more than a fortnight to his bed. To add to his distress, his mouth was exceedingly inflamed, and his tongue swollen, so that he could take little other nourishment than sweetened biscuit. With this dismal cheer he kept the *fête* of St. Matthias, the twenty-fourth of February,—his own birthday,—in strong contrast to the joyous manner in which he had celebrated the same anniversary in the preceding year.

Charles was greatly afflicted by the news of his sister's death. Though not accustomed to exhibit his emotions, his eyes filled with tears as he spoke of her to his secretary, Gaztelu. "She was a good Christian," he said. "We always loved each other. She was older than I by fifteen months; and before that time has elapsed I shall probably be with her." In less than half that time the sad prediction was fulfilled.

The queen of Hungary was overwhelmed by the blow; and she resolved to repair to Yuste, to seek consolation in the society of her brother. This time he determined to lodge her in the palace, and he gave the major-domo directions accordingly. Charles had sent to Valladolid for mourning, as he intended to put his whole household into black; and he was anxious that it should come before Queen Mary's arrival. He seemed to look forward with a sort of nervous apprehension to their meeting. "I shall never feel that my sister is dead," he said to Quixada, "till I see the queen of Hungary enter the room alone." Both parties were much affected at the interview. But the emperor endeavoured to repress his emotions, while his sister gave free indulgence to hers.

The queen was lodged, as her brother had ordered, in an apartment on the lower floor. Her retinue were quartered in Cuacos and Jarandilla, where their presence, greatly increasing the burdens of the commissariat department, gave little joy to its chief. Unfortunately, it was the season of Lent. "It is no light matter in Estremadura," says the unhappy functionary, "to keep open house in Lent, when fish is the only thing in request. The fish-market of Cuacos is somewhat different from that of Antwerp or Brussels. But we must do the best we can." He concludes by expressing a wish that the secretary Vazquez, to whom he is writing, would send "a supply of fresh salmon, if any can be had, or any other dainty,—above all, herrings, both dry and salt, of which his majesty is especially fond." In a week after this we find a letter from Dr. Mathys, the physician, in which, after some remarks on his master's improved health, as the gout had begun to yield, the writer adds, in a doleful tone, that the emperor had already begun to stimulate his appetite with salt meats, garlic, herrings, and other provocatives, which had always proved so ruinous to his stomach.

Queen Mary protracted her stay for nearly a fortnight. She then took leave of her brother,—a final leave, for they were never to meet again in this world. She established her residence in the neighbourhood of Valladolid. The emperor, at Philip's solicitation, earnestly pressed her to return to the Netherlands and to resume the regency, for which she had proved herself so well qualified. With great reluctance, she at last gave her consent, under certain conditions; but her death prevented the execution of the plan, and saved her from the humiliating scenes to which her successor, Margaret of Parma, was exposed by the revolutionary troubles of the country. Mary, who died of a disease of the heart, much aggravated by the suffering she had of late experienced, survived her brother but a few weeks. In the brief space of two years from the time when the emperor and his sisters had landed in Spain, the earthly career of all of them was closed.

In the month of April, Charles received the intelligence that his renunciation of the empire had at last been accepted. At the time of abdicating his other crowns, he had been persuaded by Philip to defer his resignation of the imperial sceptre for the present. For a short time he consented to retain the title of "emperor," devolving all the real power on his brother Ferdinand, king of the Romans, who was to succeed him on the throne. When the French war broke out, Philip, with still more reason, was desirous that his father should retain the sovereignty of Germany. But Charles had already sent his resignation to the electoral college, and he would take no steps to postpone the meeting of that body. Various circumstances, however, conspired to delay this meeting; and it was not till the twelfth of March, 1558, that the diet, having accepted the renunciation of Charles, finally elected Ferdinand as his successor. It is another proof of the tardy pace at which news travelled in that day, that the

tidings of an event of so much interest did not reach Yuste till the twenty-ninth of April. One might have thought that the intelligence would have passed from mouth to mouth in less than half the time that it is stated to have taken to send it by the courier. That this was not so can only be explained by the low state of commercial intercourse in that day, and by the ignorance of the great mass of the people, which prevented them from taking an interest in public affairs.

It was with undisguised satisfaction that Charles welcomed the tidings of an event that released him from the shadow of sovereignty,—for it was only the shadow that had followed him to Yuste. He wrote at once to Valladolid, directing that all despatches hereafter should be addressed to him as a private individual, not as emperor. He ordered that two seals should be made, without crown, eagle, or other imperial device, but simply with the arms of Spain quartered with those of Burgundy, intimating his descent by father's and mother's side. He commanded the escutcheons and other insignia to be removed from the walls of his convent palace, and the name of Ferdinand to be substituted for his own in the prayers of the Church and the service of the mass. He was so punctilious that, when the ladies of Cuacos presented him with a basket of flowers fancifully disposed so as to represent the imperial crown, he would not allow it to stand in his apartment till the flowers had been rearranged by the gardener in some other form. He called his household together and informed them of Ferdinand's election, adding, "As for me, the name of *Charles* is enough: henceforth I am nothing." To his domestics it seemed as if this renunciation of worldly grandeur was in some sort a preparation for death, and many of them were affected to tears. Even the monks, according to the testimony of one of their number, could not perform mass without being sensibly touched as they substituted the name of Ferdinand for that of their beloved emperor.

It was at this time that Charles received the alarming intelligence that the Protestant doctrines, which had been convulsing the neighbouring countries of Christendom, had at length found their way across the Pyrenees, and were secretly, but by no means slowly, sapping the foundations of the Church. The heretics had even been so audacious as to begin their operations in Valladolid, under the very eye of the regent. The cry was raised, and the bloodhounds of the Holy Office were already on the scent to ferret out the offenders and drag them into day. Charles, whose life had been passed in battling against the heresy of Luther, was filled with horror at the idea of its even then infecting the atmosphere which he breathed. To get rid of the infection by the speediest way possible became now the engrossing subject of his thoughts. On the third of May he wrote to his daughter Joanna, "Tell the grand inquisitor and his council, from me, to be at their posts, and to lay the axe at the root of the evil before it spreads further. I rely on your zeal for bringing the guilty to trial, and for having them punished, without favour to any one, with all the severity that their crimes demand." In another letter, written three weeks later, he says, "If I had not entire confidence that you would do your duty, and arrest the evil at once, by chastising the guilty in good earnest, I know not how I could help leaving the monastery and taking the remedy into my own hands." He expressed a doubt whether it would not be well, in so black an affair, to dispense with the ordinary course of justice, and to show no mercy; "lest the criminal, if pardoned, should have the opportunity of repeating his crime." He recommended, as an example, his own mode of proceeding in the Netherlands; "where all who remained obstinate in their errors were burned alive, and those who were admitted to penitence were beheaded."

Not content with writing, Charles ordered Quixada to proceed to Valladolid, where he was to see the regent and the inquisitor-general, communicate to them more fully the emperor's views on the subject, and discuss the best mode of carrying them into effect. Charles then wrote to his son, informing him of what he had done, and, to give greater force to his injunctions, added a post-script with his own hand, in which he urged Philip to apply the sharpest and speediest remedy that could be devised for extirpating the seeds of the disease before it had spread over the whole system. His injunctions fell upon willing ears, as appears from the king's memorandum endorsed on his father's letter: "Thank him for the orders he has given, and request him to follow up the affair,—telling him, at the same time, that we shall pursue the same course here, and acquainting him with what has been done already."

The emperor's letters from Yuste afford the strongest evidence of the intolerance of his disposition. The compromises and concessions wrenched from him by the German Protestants were so many sacrifices to policy, that must have done great violence to his nature. In his correspondence with his family we find the true sentiments of his heart, rendered, doubtless, more austere under the influence of declining health and the monastic life which separated him from the world. One cannot without a shudder see him thus fanning the flame of fanaticism in the bosoms of his children, to whose keeping were intrusted the destinies of the country.

Bigotry seems most naturally to belong to feeble and ignorant minds. It was the peculiar characteristic of the Spanish princes of the house of Austria; and more than one member of that dynasty was feeble to the verge of fatuity. It is the more striking when found to lodge with those extraordinary powers which seem to raise their possessor far above the ordinary level of humanity. Unfortunately, in Charles these powers served only to give greater intensity to the feeling of bigotry, and to make it more widely mischievous in its operation. Instead of a mere passive sentiment, it was quickened into an active principle of fanaticism. His great talents were employed to perfect a system of persecution which led to the most frightful results in the Netherlands. No one of his line did so much to fasten the yoke of superstition on the necks of the Spaniards. He may be truly said to have stamped his character not only on his own generation but on that that followed it. His example and his teachings directed the policy of the pitiless Philip the Second, and, through him, of the imbecile Philip the Third. His dying words—for his codicil, executed on his death-bed, as we shall see, breathed the same spirit as his letters—still lingered in the ears of his posterity, to urge them forward in the path of persecution; and thus did he become largely responsible for the woes brought on the land long after he had been laid in the dark chambers of the Escorial.

BOOK IV.

Charles's Ill Health—He rehearses his Obsequies—Is attacked by his last Illness—Codicil to his Will—Progress of the Disease—Extreme Unction—Last Hours, and Death—Funeral Honours—Philip the Second's Visit to Yuste—Bodies of Charles and his Family removed to the Escorial—Decay of the Convent at Yuste.

As the spring of 1558 advanced, the emperor's health gradually mended. He was extremely sensible to cold; and as the summer drew near he felt the genial influence of the warmer weather, and the letters from Yuste spoke of him as restored to his usual health. With renovated health his appetite returned; and he indulged it in his usual intemperate manner. "His majesty eats much," writes his physician, Dr. Mathys, "and drinks still more, changing nothing of his former way of life, and rashly trusting to the natural strength of his constitution, but little to be relied on in a body so full of bad humours." "Kings," writes Quixada, "must surely imagine their stomachs are made differently from those of other men." At length the bad humours of which the doctor spoke showed themselves in a cutaneous eruption below the knees, which caused Charles great annoyance. To allay the irritation, he slept under the lightest covering, and with the windows and doors of his chamber open. He frequently also bathed his limbs in cold water. His physician looked with distrust on the use of these violent remedies; but the emperor said he would rather have a little fever than suffer from this intolerable itching. On this Mathys sensibly remarked that it was not given to us to choose our diseases: we might chance, by attempting it, to get something worse than what we have already. The doctor's remonstrances, however, were little heeded by Charles, whose imperious nature had ever made him the most intractable of patients.

The season proved to be extremely unhealthy in the *Vera*, where tertian fever of a malignant type became prevalent and several persons died of it. The count of Oropesa lay so ill of this disease, in his château at Jarandilla, that the emperor sent his own physician to him. On the ninth of August, Charles, after a considerable interval, was attacked by a fit of the gout, which was attributed to a cold taken in consequence of his sleeping with his windows open,—the air, which had been sultry in the evening, having changed and become chilly during the night. The attack does not seem to have been as severe as he had sometimes experienced during his residence at Yuste; for on the fifteenth of the month we find him present at the service in the chapel, though requiring the support of his attendants and seated in his chair. All symptoms of the disease had vanished by the twenty-fourth of August, when we find the letters from Yuste speaking of him as entirely recovered.

It was in the latter part of the month of August that an event is said to have taken place which has afforded a fruitful theme for speculation to modern critics. This was the emperor's celebration of his own obsequies. According to the two Jeronymite chroniclers from whom the narrative is derived, Charles, who caused masses to be celebrated for the soul of his deceased wife on every

anniversary of her death, expressed a wish at this time to his confessor, Juan de Regla, to have funeral services performed in her honour and also in that of his parents. The confessor having approved of this pious intention, preparations were instantly made for carrying it into execution; and the obsequies, occupying three days successively, were celebrated by the whole convent with great solemnity. Charles himself took part in them, taking his place near the altar, and following the service in his prayer-book,—a plain volume, which bore the marks of long and diligent use.

When the ceremony was finished, Charles inquired of his confessor whether it would not be well for him also to perform his own obsequies, and thus see with his own eyes what must soon befall him. The priest, startled by this extraordinary proposal, was much affected, and besought the emperor, with tears in his eyes, not thus to anticipate, as it were, the hour of his death. But Charles, urging the matter, inquired if it would not be profitable for his soul; and, the accommodating father having applauded it as a pious act, worthy of imitation, arrangements were made for conducting it with greater pomp than that of the preceding services. The chapel was accordingly hung with black, and the blaze of hundreds of wax-lights was scarcely sufficient to dispel the darkness. The brethren in their conventual dress, and all the emperor's household clad in deep mourning, gathered round a huge catafalque, shrouded also in black, which had been raised in the centre of the chapel. The service for the burial of the dead was then performed; and, amidst the dismal wail of the monks, the prayers ascended for the departed spirit, that it might be received into the mansions of the blessed. The sorrowful attendants were melted to tears, as the image of their master's death was presented to their minds,—or they were touched, it may be, with compassion by this pitiable display of weakness. Charles, muffled in a dark mantle, and bearing a lighted candle in his hand, mingled with his household, the spectator of his own obsequies; and the doleful ceremony was concluded by his placing the taper in the hands of the priest, in sign of his surrendering up his soul to the Almighty.

Such is the account given us by the Jeronymite fathers, one of whom was an eye-witness of the scenes he describes,[1] and the other, though not present himself, had ample means of obtaining information from those who were.[2]

[1] Nothing is known of this person, except what is to be collected from his own narrative. He was one of the convent, and seems to have lived there during the whole of the time that Charles resided at Yuste. He was one of the few monks selected to keep watch over the emperor's remains after his death, and to accompany them when they were removed to the Escorial. His manuscript, which has very recently been given to the public by the industrious Gachard, found its way, in some manner not easy to be explained, into the archives of the Feudal Court of Brabant in Brussels. It was there discovered, not long since, by M. Bakhuizen van den Brink, a member of that court, and an analysis of it was published by him in the *Bulletins de la Commission Royale d'Histoire*. The narrative is given at length by Gachard, in the second volume of his "*Retraite et Mort de Charles-Quint*." No one who has read this simple record, which bears on every page the evidence of the writer's calling and of the times in which he lived, can doubt its authenticity for a moment. For this reason, notwithstanding it comes to us without a name, it becomes an historical document of great value, inferior only to that of the original letters from the members of the emperor's household.

[2] This was Fray Joseph de Siguença, prior of the Escorial. As head of the great Jeronymite monastery, the best sources of information were open to him. He enjoyed, moreover, the opportunity of personal communication with some who were living at Yuste during the emperor's residence there, and who, after his death, accompanied his remains to the Escorial. The result of his investigations he has given in the first volume of his great work, "*Historia de la Orden de San Gevonimo*" published at Madrid in 1605; a work which, from the conscientiousness of the writer, and the luminous style in which it is written, holds a high place in the ecclesiastical literature of Spain.

Since that time the story has been repeated by successive writers, gaining at each repetition, until in Robertson's pages we find the emperor performing in his shroud, and then lying down in his coffin, where, after joining in the prayers for the rest of his own soul, not yet departed, he is left by the monks to his meditations. It was not till the present day that a more careful scrutiny, by discovering inconsistencies in the account, led some writers to regard it as a monkish legend, and to doubt the truth of it altogether.

On the afternoon of the same day on which the obsequies had been celebrated, being the thirty-first of August, Charles, according to the Jeronymite chroniclers, took his seat on the covered terrace on the western side of his house. Here he would often sit, drinking in the sweet odours of the garden, and enjoying the grateful warmth left by the rays of the declining sun. As he sat thus musing, with his eyes fixed on the dial which Torriano had erected for him in the grounds below, he suddenly ordered his jewel-keeper to be called, and directed him to bring a miniature of the empress Isabella, of whom, as we have seen, he had more than one portrait in his collection. He dwelt a long time on her beautiful features, "as if," says the chronicler, "he was imploring her to prepare a place for him in the celestial mansions to which she had gone." Some time longer he spent in contemplating Titian's "Agony in the Garden;" after which he ordered the picture of the "Last Judgment" to be brought to him,—the masterpiece of Titian. It was probably only a sketch, as the great work, which hung on the walls of the chapel, was too large to be removed. Indeed, his testament notices a picture of the "Last Judgment" as among the articles in the possession of his jewel-keeper. He gazed so long and with such rapt attention on the picture as to cause apprehension in his physician, who, in the emperor's debilitated state, feared the effects of such excitement on his nerves. There was good reason for apprehension; for Charles at length, rousing from his reverie, turned to the doctor and complained that he was ill. His pulse showed him to be in a high fever. He soon after withdrew to his chamber, which he was never more to leave.

That this account of the Jeronymite brethren is not perfectly correct is shown by a letter of Dr. Mathys, dated on the first of September, in which he states that, having gone by his master's orders, on the thirtieth of August, to Jarandilla, to attend the count of Oropesa, he found the emperor, on his return, suffering from a severe headache, which he attributed to the effect of the sun's rays, that fell with great power on the terrace where he had dined. After a sleepless night, continues the doctor, in which the emperor suffered much from thirst, he rose and dressed himself; but, though somewhat better in the morning, in the afternoon he relapsed, the pain in his head returned with increased force, and he exhibited decided symptoms of fever. From this letter of his physician, written on the spot, we see it was impossible that the circumstances mentioned by the Jeronymite historians could have taken place on the day they assign for them. Charles was certainly in no condition on that day for so exciting a scene as the performance of his own obsequies.

A still more formidable objection to the truth of the narrative is furnished by the silence of Charles's household in regard to it. It would seem strange that neither Quixada nor Gaztelu, who were so careful to notice every occurrence of interest in their master's life, should have made any allusion to one so extraordinary as this. This silence is so insignificant that, instead of negative, it may be thought to acquire the value of positive proof against the truth of the story.

A candid review of the whole matter will suggest some considerations which may tend much to diminish the weight of these objections. With respect to

the inaccuracy of the dates, that would not be a marvellous thing at any time, especially with the careless chroniclers of the sixteenth century. The Regent Joanna furnishes a remarkable example of this inaccuracy in a letter addressed to Philip, giving with much care the circumstances attending their father's illness, in which she falls into the gross blunder of mistaking the date of his death, although the documents from Yuste were before her. It may well be that the date of the funeral services was some days previous to that reported by the monks, when Charles would seem to have been sufficiently recovered from the gout to have taken part in them. With the exception of a few lines from Gaztelu, relating to public business, we have no letter from the secretary or the major-domo between the eighteenth and the twenty-eighth of August; at least, I have none in my collection, and have seen none cited by others. The interval that may have elapsed between the performance of the ceremony and the writing of these functionaries may help to explain their silence on an event which no longer made any strong impression on their minds. For, after all, when due allowance is made for the exaggerated tone natural to the monkish chronicler, this act was one not altogether so different in its character from those celebrations with which Charles used to vary the monotony of his monastic life. Thus he showed a morbid relish for performing the obsequies not merely of his kindred, but of any one whose position seemed to him to furnish an apology for it. Not a member of the *toison* died, but he was prepared to commemorate the event with solemn funeral rites. These, in short, seemed to be the festivities of Charles's cloister life. These lugubrious ceremonies had a fascination for him that may remind one of the tenacity with which his mother, Joanna, clung to the dead body of her husband, taking it with her wherever she went. It was after celebrating the obsequies of his parents and his wife, which occupied several successive days, that he conceived, as we are told, the idea of rehearsing his own funeral,—a piece of extravagance which becomes the more credible when we reflect on the state of unnatural excitement to which his mind may have been brought by dwelling so long on the dreary apparatus of death.

There is one part of the narrative, however that cannot be so readily explained,—the portrait scene on the terrace. There must be some error in regard to both the time and the manner of the event, as reported by the chronicler. This scene upon the terrace could not have been the one which immediately preceded the illness of the emperor. This appears from a letter of Dr. Mathys, who, far from being present on that occasion, expressly says that he was with the count of Oropesa at Jarandilla. The portrait scene must have occurred at some earlier period, therefore, unless the reader may be disposed to dismiss it altogether, as one of those legends that have their birth in the cloisters and easily find credit there. There is no pretence that the monk who reports it was himself present. He tells it only as a rumour, and one that, seen through the mist of more than twenty years,—as, from a date in his manuscript, appears to have been the case,—may well have been distorted in his recollection.

But the obsequies stand upon very different ground, as the writer assumes to have been present and to have taken part in them himself. We cannot reject the story without regarding it as a sheer invention of the chronicler. Such an effort of invention may be thought to be no miracle in a monk, especially where the glory of his convent was concerned. But it would be difficult to see how this was to be in any way affected by a matter which was altogether personal to Charles. The character of the writers, moreover, greatly strengthens the improbability of anything like wilful misrepresentation on

their part. The manuscript of the monk of Yuste is stamped, as his Belgian editor justly remarks, with the character of simplicity and truth; and Siguença, the other Jeronymite authority, although tinged with the superstition of his age, enjoyed the highest reputation for integrity and good faith. It is a question of difficulties, in whatever light we may choose to regard it; but a candid consideration of all the circumstances may perhaps lead the reader to explain these difficulties by a mistake of the date,—not very extraordinary, considering the length of time that had elapsed since the event,—rather than by a wilful fabrication on the part of the writers.[3]

But to return from a discussion longer, it may be thought, than the importance of the subject warrants, it appears from his physician's letter that Charles, after his repast on the terrace on the thirtieth of August, was seized with the illness from which he was destined never to recover. A restless night was succeeded by a day of great suffering. He was tormented with excessive thirst; and the pain in his head was so violent at times that he lost his consciousness. The disease soon took the aspect of malignant tertian fever; and Mathys determined, notwithstanding the weak state of his patient, that, if the symptoms did not prove more favourable on the following day, he would bleed him.

Charles himself became alarmed at his condition. The symptoms of the disease were different from anything which he had before experienced. He made his preparations accordingly, expressed his desire to execute a codicil to his will, and without further delay confessed and received the sacrament. In performing this last act, feeble as he was, he knelt a full quarter of an hour in his bed, offering thanks to God for the mercies that had been shown him through life, and expressing the deepest contrition for his sins, with an earnestness of manner that touched the hearts of all present.

Quixada, by his master's orders, wrote to the secretary Vazquez, requesting him to send a commission to Gaztelu investing him with the powers of a notary, as there was no one who could act in that capacity at Yuste. At the same time the major-domo desired that relays of posts might be established along the route to Valladolid, for the more rapid and regular transmission of intelligence. Meanwhile, as Charles's fever increased, the physician took from him ten ounces of a thick, black blood, and on the evening of the same day relieved him of eight more, by which he felt himself to be much benefited. Mathys, however, shrank from the responsibility of taking the sole charge of his illustrious patient at this crisis; but Charles, who seems to have had no great faith in a multitude of counsellors, would not consent that any other doctor should be called in, except Dr. Cornelius, Joanna's physician, who to large medical experience united an intimate knowledge of his constitution.

[3] There is one authority, could his work be recovered, who might probably settle this vexed question. This is Fray Martin de Angulo, prior of Yuste, who prepared, for the information of the Regent Joanna, a full account of the latter days of her father, with whom, as the superior of the convent, he was in the habit of daily communication. His manuscript, which has never found its way to the press, was in the hands of the historian Sandoval, who professes to have transferred its contents to his own pages. In these we find a conversation reported which the emperor had with one of his household respecting his mock funeral, which, however, we are to infer, never took place, from its being afterwards stated that the money which Charles designed to appropriate to this object was in the end applied to his real obsequies. Yet the marquis of Valparayso, in a work still in manuscript, which he compiled some seventy years later, with the memoir of Angulo before him as one of his authorities, expressly asserts the fact of the mock funeral having taken place. In this conflict of testimony, it is much to be wished that the original manuscript of Father Angulo could be discovered. It is said still to exist in the National Library of Madrid, where M. Gachard tells us he once had sight of it. But, if so, it has again become engulfed in the ocean of manuscripts in the library, and thus far eluded every effort that has been made to bring it to light.

As Charles required the constant attention of his faithful major-domo, the latter transferred his residence to the convent, that he might remain with his master by night as well as by day. In obedience to the emperor's orders, he had a short time since removed his family from Villagarcia to Cuacos. Doña Magdalena, his wife, was accompanied by her young charge, Don John of Austria, the emperor's natural son, then a stripling of eleven years of age, whom she had brought up with the tenderness of a mother, though she remained in ignorance of his illustrious origin. On coming to Cuacos, she was invited by Charles to visit him at Yuste, where he gave her a gracious reception; and, as she doubtless brought her foster-child along with her, the sight of the noble boy, his own offspring, who had already given evidence of the chivalrous spirit of later years, may have shed a ray of satisfaction on the withered heart of the emperor.

The arrival of Dr. Cornelius was attended by no change in the treatment of the patient, as the elder physician entirely approved of the course pursued by his younger brother. But the disease continued rapidly to gain ground. The fever was so high that Charles could hardly endure the lightest covering; and it was occasionally accompanied by violent paroxysms which left him insensible for hours together. On the ninth of the month a commission arrived from Valladolid empowering Gaztelu to act as a notary; and Charles, who was then in the full possession of his faculties, lost no time in executing his codicil. It had been prepared some time previous, and was of great length, like the testament to which it was attached. By his will he had bequeathed thirty thousand ducats for the portions of young maidens and the liberation of captives from the Moorish dungeons. Another provision of his will, which he now confirmed, directed that thirty thousand masses should be said for the benefit of his soul in the monasteries and parochial churches of Spain and the Netherlands. By his codicil, he assigned gratuities and pensions to each member of his household, from Dr. Mathys down to the meanest scullion. The pensions varied in amount according to the rank of the parties, the highest reaching four hundred florins, and so proceeding by a descending scale to ninety florins annually. Some of the principal Jeronymites who had officiated about the emperor's person came in for a share of his bounty. Two thousand ducats were to be paid at once to Quixada, whose services were noticed in the most affectionate terms, and who was to receive a pension equivalent to his present emoluments until Philip should make some provision for him better suited to his deserts.

But the most remarkable feature of the instrument was the intolerant spirit that breathed through every page of it where religion was concerned. The monotonous and melancholy way of convent life had given a gloomy colour to Charles's sentiments, and had imparted something like austerity to his temper. A whimsical proof of this austerity had been furnished some time before, by an ordinance which he had obtained from the visitors of the convent, and which was proclaimed by sound of trumpet, decreeing a hundred lashes to any woman who should approach within two bow-shots of the gate! Under the corroding influence of an ascetic life, and the decline of his health at Yuste, the feelings of bigotry which belonged to the emperor's nature had been gradually exalted into a more active and mischievous principle of fanaticism. This is evident from the system of persecution which he inculcated in his letters, with so much energy, on those who had the direction of affairs both in Spain and in the Netherlands. He was even heard to express his regret that he had respected the safe-conduct of Luther when the great Reformer presented himself before the diet at Worms. Fortunately for Charles's reputation, his good

angel had saved him from the perpetration of a crime which would have branded his name with the infamy that belongs to the murderers of Huss. In the codicil which he now signed, he enjoined upon his son to follow up and bring to justice every heretic in his dominions, and this without exception and without favour or mercy to any one. He conjured Philip to cherish the Holy Inquisition as the best means for accomplishing this good work. "So," he concludes, "shall you have my blessing, and the Lord shall prosper all your undertakings." Such were the last words of the dying monarch to his son. They did not fall on a deaf ear; and the parting admonition of his father served to give a keener edge to the sword of persecution which Philip had already begun to wield.

Charles left directions in his codicil respecting the place of his interment. A few days before, he had held a long conversation with Quixada on the subject. He had originally intended that his remains should be removed to Granada and there laid in its noble cathedral by the side of the empress, his wife. There, too, were gathered the ashes of Philip and Joanna, his parents, and those of his great progenitors, Ferdinand and Isabella, of glorious memory. But he had now changed his mind, and seemed willing that his present residence should also be his final resting-place. He proposed to be buried in the chapel of Yuste, and to have the body of the empress brought from Granada and placed beside his own. But from this he was dissuaded by Quixada, who represented that Yuste was altogether too humble a place and in too defenceless a condition to be a fitting mausoleum for the remains of great princes. Charles yielded to these arguments, and contented himself with directing that his body should be deposited there for the present, leaving it to Philip to decide on the spot where it was permanently to lie, and requiring only that it should be by the side of his beloved wife. The emperor, having listened to the reading of the codicil, signed it on the same day. By this act he seemed to have settled all his worldly affairs and to have terminated his connection with the world. He did not, however, lose his interest in it altogether; and he received with pleasure the news brought him by Garcilasso de la Vega, that his sister, the queen of Hungary, had at length consented to return to the Netherlands and give the king, her nephew, the benefit of her counsels in the government of that country.

Disastrous intelligence reached Yuste at this time of a great battle fought in the neighbourhood of Oran, in which the count of Alcaudete, the governor of that place, and the flower of the Spanish infantry under his command, had been cut to pieces by the Moors. The tidings would have fallen heavily on the heart of the dying emperor, who, as we have seen, had taken the greatest pains to provide for the safety of the Spanish possessions in Africa. But Quixada's prudent precautions prevented anything from being said to Charles on the subject, and saved him from the anguish which would have added a bitterness to death.

The posts now brought daily tidings to Valladolid of the condition of the emperor, filling his daughter Joanna and the queen of Hungary with the deepest anxiety. They would willingly have gone at once to Yuste and taken charge of him in his illness, had he allowed it. But when Quixada intimated to Charles his sister's desire, he replied that she would not come, for that she was too well acquainted with his wishes on the subject. The major-domo hinted that his daughter, the regent, was equally anxious to visit him, and waited only her father's permission to come and nurse him in his illness. The emperor, however, who found much difficulty in speaking, from the soreness of his mouth, only shook his head, as if to intimate that it could not be. But,

although his own family were excluded, his friend the grand master of Alcántara, on learning the critical condition of his master, came over to Yuste, resolved on establishing his residence there till the fate of the emperor was decided.

Charles's constitution was now fast sinking under the ravages of his disorder. As his weakness increased, the physicians endeavoured to sustain him by broths, and other simple and nourishing liquids, allowing him even a small quantity of his favourite beer. But his stomach refused to perform its functions, or to retain the food which it received. On the eleventh of the month the tertian changed into what was called a double tertian. The ague-fits became more severe and of longer duration. Frightful chills were succeeded by an access of fever, which ran so high that his reason became affected and he lost all perception of what was passing around him. After one of these paroxysms, on the seventeenth, he remained for twenty hours in a state of utter insensibility. He was again attacked on the nineteenth, and, although the fit was less severe and of much shorter duration, the physicians, fearing he would not survive another, expressed their opinion that the time had arrived for administering extreme unction.

The sound of these words fell like a knell on the ears of the faithful Quixada, who saw in imagination the portals of the tomb already opening to receive his master. His feelings are best expressed in his own letter a ldressed soon after to the secretary Vazquez. "The doctors say that the disease constantly increases, while every hour, as his pulse shows, the emperor grows more feeble. As for me, I cannot think he is so near his end; and to-day his mind has not wandered so much as during the last paroxysm. Ever since noon I have prevented them from giving him extreme unction, fearing, though he remains speechless, that it might disturb him. But, as the physicians insist that there is no time for further delay, I have told them that I would be ready, and that they should watch the patient's pulse, and not give the signal until they were certain that the time had come for it. I feel as if I had buried him already more than once. You can well understand how this pierces my very heart." "Since the above was written," continues the major-domo, "the physicians have pressed the matter so strongly that extreme unction has been administered to his majesty, although, as it seems to me, this was somewhat premature. I have done as they advised, for they should know best. You may well comprehend the condition of one like me, who for seven-and-thirty years has served a master whom he is about to lose for ever. May it please God to take him to himself, if he is to go; though I cannot help repeating that in my judgment it will not be to-night. God be with him, and with us all."

The ceremony, as Quixada says in his affecting letter, was performed on the evening of the nineteenth. It was conducted by the confessor Regla, attended by all the brethren of the convent. The emperor preferred to receive the unction in the form adopted by the friars, which, comprehending a litany, the seven penitential psalms, and sundry other passages of Scripture, was much longer and more exhausting than the rite used for the laity. His strength, however, did not fail him. He joined with great devotion in the services, which seemed to leave his mind in a state of holy calm, like that of one whose thoughts were now turned to a better life.

On the morning of the twentieth he intimated his wish to be left alone with Quixada. The interview lasted half an hour, during which Charles was able to converse in a low but audible tone. One of the topics was the pensions to be given to his domestics; and he instructed Quixada to press upon Philip the importance of punctuality in their payment. Another subject, still nearer to his heart, had reference to Don John of Austria. He had made no provision

for the child, thinking it perhaps more politic to leave him dependent on Philip. It was the course which his wise grandfather, Ferdinand the Catholic, had pursued in respect to his younger grandson, Ferdinand, whom, though his especial favourite, he had left without a legacy, consigned to the care of his elder brother, Charles, the heir to the monarchy. As the event proved, the good will of his brother was the best legacy that could have been left him.

Soon after this conversation, the emperor again confessed, and expressed his intention to receive the sacrament. The major-domo, fearing that his strength would not be equal to the ceremony, reminded him that this was unnecessary, as he had so lately received extreme unction. But the emperor answered that "it was good provision for the long journey he was about to set out upon." The condition of his throat had been such of late as furnished a new argument to Quixada, who reminded his master that they could not administer to him the sacred elements, as he would be unable to swallow them. Charles replied, "I shall be able," in a tone of decision that adjourned all further debate.

As it was feared that there might not be time for the consecration of a wafer by the performance of the mass, that which was kept on the high altar of the church was brought by the confessor, Juan de Regla, accompanied, as before, by the brethren of the convent, who now, to the number of thirty or more, filled the imperial chamber. Charles received the eucharist with the greatest devotion, saying, "Lord God of truth, our Redeemer, into thy hands I commit my spirit." Quixada then examined his mouth, to see that no particle of the wafer adhered to it. After this, mass was performed. Charles joyned in the service with silent but earnest devotion; and when the monks had reached that solemn invocation, "Lamb of God, which takest away the sin of the world, have mercy on us," the dying monarch, feebly raising his hand, beat his breast, with looks of the deepest humility and contrition The ceremony, instead of fatiguing, seemed rather to relieve him. A sweet composure settled on his spirit, and continued to the last, unruffled by any further attacks of pain, while his faculties remained unclouded.

During the rest of the morning he listened to passages from Scripture, pointing out those which he preferred,—among others, the Passion of our Lord in St. Luke. Villalva accompanied the reading with such exhortations as were suited to the condition of the emperor, who listened attentively, with his eyes closed, and his hands folded upon his breast. At noon Carranza, archbishop of Toledo, who had been long expected, arrived at Yuste. He was the same "black friar"—so called from his swarthy visage—who had made his name famous by the part he took in the persecutions in England; and he was destined to become still more famous by the unmerited persecution which he himself afterwards endured from the Inquisition. He had come from the Low Countries, and brought tidings of Philip, by whom he had been recently raised to the archiepiscopal see. Unfortunately, he had incurred the suspicions of the Holy Office on the score of his orthodoxy. His residence in Germany, and his familiarity with the writings of Protestant scholars, had led him, no doubt, to modify some of his early opinions. But though, like Pole, Morone, and some other eminent churchmen of the time, he had adopted more liberal views than were sanctioned by the Council of Trent, he was at heart as true a Roman Catholic as the most implacable of his enemies. Some around the emperor, among whom Regla, to judge from his subsequent conduct, was the most active, had infused doubts into the monarch's mind of Carranza's orthodoxy. Charles was in no condition now to examine into the affair; and when the archbishop was introduced into his presence, and, kneeling down by the bedside, kissed the hand of his master, the latter gazed on him for a few moments in silence, and then bade him take some repose.

The emperor's life was now fast ebbing away; and his own sensations told him that the scene must soon close. He desired Quixada to have in readiness the holy candles brought from the sanctuary of Our Lady of Montserrat; also an image of the Virgin and a crucifix, which had comforted the empress in her extremity, and which Charles had preserved to solace his last hours. Quixada, who saw that his master was sinking, sent for the archbishop of Toledo, who, at the emperor's desire, read aloud some portions of Scripture,—among the rest, that sublime Psalm, "Out of the depths to Thee have I cried." Then, approaching the emperor's bedside, he knelt down, and, holding up a crucifix, exclaimed, "Behold Him who answers for all! There is no more sin; all is forgiven." These words fell upon other ears than those for which they were intended; and the confessor, Regla, made them the grounds of a malicious complaint before the Holy Office, as implying an acquiescence in the Protestant doctrine of justification by faith alone. The words gave much scandal to more than one ecclesiastic in the room, as also to the grand master of Alcántara, who besought Villalva to prepare the emperor for his end by a more Catholic exposition of the Christian doctrines. The harsh and disagreeable utterance of Carranza had caused so much annoyance to Charles that Quixada had thought it necessary to caution the primate to speak in a lower tone. He was now succeeded by Villalva, the favourite preacher of the emperor, whom he had so often delighted with his soft, insinuating eloquence.

The Jeronymite resorted to very different sources of consolation from those employed by the archbishop. "Your majesty," said he, "came into the world on the day of St. Matthew; you will leave it on that of St. Matthias. St. Matthew and St. Matthias were two apostles, two brothers, bearing nearly the same name, and both disciples of Jesus Christ. With such intercessors, you can have nothing to fear. Let your majesty turn your heart with confidence to God, who will this day put you in possession of glory." "Thus," in the striking language of Mignet, "the two doctrines which divided the world in the age of Charles the Fifth were once more brought before him, on the bed of death." He was in no condition to observe the peculiarities of these doctrines; but his fainting spirit leaned with pious faith on the assurance which they both gave him of happiness beyond the grave. A sweet serenity settled on his features, "giving tokens," says the archbishop of Toledo, in a letter written soon after to the regent, "of peace and inward security that filled all who witnessed it with joy."

Besides the archbishop, the prior of Granada, Villalva, and two or three other ecclesiastics, there were present in the chamber the count of Oropesa, with some of his kindred, the grand master of Alcántara, and a few of the great lords, who had been in the habit of coming to pay their respects to the emperor, and who were now gathered around his bedside, gazing mournfully on his revered form, while the shadows of death were stealing over it. For some hours there was silence in the apartment, broken only by the low breathings of the dying man. At length, rousing from his lethargy, Charles seemed to feel a consciousness that his time had come. It was two hours after midnight on the morning of the twenty-first of September. Placing his hand on his pulse, he feebly shook his head, as if to intimate that all was over. He then signed to Quixada to light the taper. At the same time the archbishop placed the crucifix of the empress in his hand. Gazing on it for a moment, he brought it to his lips, and then pressed it fervently on his breast. The archbishop, taking the crucifix from his relaxing grasp, held it up before the gazed eyes of the emperor, who, holding the candle in his right hand, and supported by the faithful Quixada, exclaimed, "Now it is time." Then,

gazing with unutterable longing on the sacred symbol, to him the memento of earthly as well as heavenly love, he stretched forth his left hand as if to embrace it, called on the name of Jesus, in tones so loud as to be distinctly heard in the next apartment, and, falling back on his pillow, with a convulsive sigh expired. He had always prayed—fearing perhaps the hereditary taint of insanity—that he might preserve his reason to the last. His prayer was granted.

All present were deeply touched by the solemn and affecting scene. The grand master of Alcántara, in a letter written that same day to the princess Joanna, expressed the happiness it gave him to think that he had been recognized by the emperor to the last. Luis Quixada could hardly comprehend that his master was no more, and, throwing himself upon the lifeless remains, gave way to an agony of grief. The body was suffered to lie upon the bed during the following day. It was placed under the charge of four members of the convent, who, with the major-domo, were the only persons that entered the chamber of death. Quixada would often return during the day to look at his beloved master. During his absence on one occasion, the Jeronymites, as we are informed by one of those on watch, felt a natural curiosity to see the emperor, who was shrouded by the curtains drawn closely around the bed. They were restrained by a feeling of reverence for the dead, and the fear of displeasing Quixada. Curiosity at length prevailed; and, drawing aside the curtains, they gazed with awe on the lifeless form before them. Instead of the pallid hue of death, the countenance was still tinged with a faint colour resembling that of life. The expression, fixed as marble, was serene, telling that the hard battle of life was at an end. The head was protected by a delicately embroidered cap; and a loose robe enveloped the person, on the upper part of which was a covering of black silk. On the breast, near the heart, lay the silver crucifix which the hands of his wife had clasped in the hour of death, and which was destined to comfort the latest moments of his son. Above the head of Charles was suspended a picture of the Virgin, one of the relics which he had reserved for this occasion. While thus gazing, the Jeronymites heard the step of Quixada approaching the chamber, and they speedily closed the curtains.

The emperor's remains were secured in a leaden coffin, which was cased in another of chestnut. They were then lowered through the window in his apartment to the floor of the church. Here they were placed on a catafalque which stood in the centre of the building, shrouded in black and emblazoned with the imperial arms. The walls were also hung with black, while the blaze of countless tapers shed a melancholy lustre over the scene. A vast concourse of persons of every rank, from the surrounding country, filled the edifice. Among them were to be seen the monks of Cuacos and those of different religious communities in the neighbourhood. The members of the household were all clad in mourning. Amidst this solemn company the manly form of Quixada was conspicuous, muffled in a dark mantle, which concealed his features. By his side was his royal charge, Don John of Austria, in sable weeds, like himself. The events of that day were well calculated to make a deep impression on the mind of the gallant boy, who, after a brief but brilliant career, claimed, as the best recompense of his services, the privilege of lying beside his father in the stately mausoleum raised by Philip for the line of Austria.

For three days the obsequies continued, under the direction of the archbishop of Toledo. The Jeronymites of Yuste, the Cordeliers of Jarandilla, the Dominicans of St. Catherine, joined in the funeral chant. A discourse was

delivered on each day, beginning with one by Charles's favourite preacher, Villalva. At Quixada's desire, he had made minutes of what had passed in the sick-chamber, and had artfully woven these particulars into his sermon, which he delivered with a tender and impassioned eloquence that thrilled the hearts of all who heard it.

During the services a chair was placed in the choir to accommodate some person of rank whose infirmities made it difficult for him to stand so long a time. But Quixada, notwithstanding the remonstrance of the grand master of Alcántara, the friend of the party, indignantly caused the chair to be removed, remarking that no one would have dared to sit in the presence of the emperor when alive, and that no less respect should be shown to him now that he was dead. In this loyal sentiment he was sustained by the general feeling of the audience, every one of whom remained standing throughout the whole of the long-protracted ceremonies.

At the close of the third day the emperor's interment took place, and his remains were consigned to the earth amidst the tears and lamentations of the multitude. The burial did not take place, however, without some difficulty. Charles had requested, by his will, that he might be laid partially under the great altar, and in such a manner that his head and the upper part of his body might be under the spot where the priest stood when celebrating mass. The request was made in all humility; but it raised a question among the scrupulous ecclesiastics as to the propriety of permitting any bones save those of a saint to occupy so holy a place as that beneath the altar. The dispute waxed somewhat warmer than was suited to the occasion; till the momentous affair was finally adjusted by having an excavation made in the wall, within which the head was introduced, so as to allow the feet to touch the verge of the hallowed spot.

These mournful rites having been concluded, the archbishop of Toledo and the prior of Granada, together with some other of the high ecclesiastics as well as of the nobles, took their departure. Their places, however, were soon supplied by the concourse from without, until the large church was filled to overflowing. The funeral services were protracted six days longer, during which Villalva continued his pious exhortations, in those warm and touching tones that lingered long in the memory of his hearers. The reputation which he acquired by his fervid eloquence on this occasion commended him in a particular manner to the notice of Philip the Second, who afterwards made him his principal preacher, as his father had done before him.

On the ninth day the ceremonies were terminated. The monks from the neighbouring convents returned to their homes; and the church was speedily emptied of the crowd which had assembled there to pay the last tribute of respect to their departed sovereign. Silence again settled on Yuste; and the brethren of the convent resumed the quiet and monotonous way of life which they had led before the coming of the emperor.

Juan de Regla, Quixada, and Gaztelu had been named as the executors of Charles's will. To the two latter were committed the task of making an inventory of his personal effects at Yuste. Their first care was to settle the wages of the domestics and pay the legacies bequeathed to them by their master. This was soon done; and in a few days they all took their departure for Valladolid. Some of them were received into the service of the regent; but much the greater part, including the amiable Van Male, returned to their native country, the Netherlands, bearing letters of recommendation to the king, and made richer by the pensions bequeathed to them by their imperial master.

Charles had not forgotten the convent in his benefactions. He left twelve

hundred ducats to be distributed among its members, the stoves which had been provided for his establishment, and the rich hangings of cloth and velvet employed to decorate the church at his obsequies. But a gift of far more value was the "*Gloria*" of Titian, which was still permitted to hang upon the walls of the monastery. It was, indeed, too precious to be allowed to remain there long. Among the chattels left by Charles, his one-eyed horse, which he had bestrode only once after his arrival at Yuste, was appropriated by Luis Quixada. But on Dr. Cornelius's laying claim to one of the emperor's mules, an order came from Valladolid that every article, however trifling, with the exception of Quixada's pony, was to be reserved for the regent. Among the royal trumpery was an Indian cat, and a parrot possessed of wonderful gifts in the way of talking, great pets of Charles, with which he had been accustomed to amuse his leisure hours. They were presents from his sister, Catherine of Portugal, and they were now forwarded in a separate litter, under an escort, to Valladolid. In short, everything in the house seemed to have a particular value in Joanna's eyes, as a memorial of her father.

Quixada and Gaztelu, having at length completed their painful task, in December took their final leave of the spot which they had always regarded with feelings of aversion, and which was now associated in their minds with the most saddening recollections. The major-domo removed his family to his residence at Villagarcia, from which he had so recently brought them. There he and Doña Magdalena continued to watch, with parental interest, over the education of their royal charge. Philip, in the mean time, in obedience to his father's wishes, recognized Don John as the son of the emperor, and a glorious career was thus opened to the ambition of the young prince, which, at the close of his short but eventful life, enabled him to leave an imperishable name in the annals of his country.

The death of Charles the Fifth caused a sensation throughout Christendom inferior only to that occasioned by his abdication. By his own subjects, indeed, the present event was felt still more sensibly, as their loss was far greater. In his retirement, as we have seen, Charles still continued to exercise an important influence on public affairs. But now he was gone for ever; and the light of his wise counsels would no longer be shed on the difficult path of his young and inexperienced successor.

His obsequies were celebrated with great pomp, by his daughter, at Valladolid. His friend Francisco Borja delivered the discourse on this occasion. For his text he took the appropriate words, "Lo! then would I wander afar off, and remain in the wilderness." He enriched his discourse with anecdotes and traits of the deceased monarch, whom he held up as a pattern of Christian excellence. Among other facts he mentioned that Charles had once informed him that no day had passed since he was twenty-one years old without his having devoted some portion of it to inward prayer.

Funeral services in Charles's honour were also performed in several other places in Spain, as Toledo, Tarragona, Seville; with still greater pomp in Rome; also in Naples, Lisbon, and Vienna; but above all in Brussels, the capital of the Netherlands, where the ceremonies were conducted with extraordinary splendour, in the presence of Philip and his court.

As soon as the king had received tidings of the death of his father, he ordered that the bells in all the churches and monasteries throughout the country should be tolled thrice a day for four months, and that no festivals or public rejoicings should take place during that time. The twenty-eighth of December was appointed for the celebration of the obsequies in the Flemish capital. A procession was formed, consisting of the great officers of the crown

in their robes of state, of the high ecclesiastics and nobles, and of the knights of the Golden Fleece, wearing the superb insignia of their order. In the midst, the king was seen, on foot, with his features buried in a deep hood, and his person muffled in a mourning cloak, the train of which was borne by his favourite minister, Ruy Gomez de Silva. It was evening; and as the long procession moved by torchlight through the streets of the capital, it was escorted by files of the Spanish and German guards in their national uniforms, marching to the low sounds of melancholy music, with a step so slow that it required two hours to reach the place of their destination,—the ancient church of Saint Gudule.

In the centre of the nave stood a pavilion, or chapel as it was called, shrouded in black, and lighted up by three thousand wax tapers. Within might be seen a sarcophagus covered with dark velvet, on which lay the imperial crown with the globe and sceptre. Opposite to the chapel a throne was raised for the king, with seats below to accommodate the dignitaries of the Church and the Flemish and Spanish nobles. The galleries above, festooned with drapery of black velvet and cloth of gold, richly emblazoned with the imperial arms, were occupied by the ladies of the court. Never had so grand and imposing a spectacle been witnessed within the walls of this time-honoured cathedral. The traveller who at this time visits the venerable pile, where Charles the Fifth was wont to hold the chapters of the Golden Fleece, while he gazes on the characteristic effigy of that monarch, as it is displayed on the superb windows of painted glass, may call to mind the memorable day when the people of Flanders, and the rank and beauty of its capital, were gathered together to celebrate the obsequies of the great emperor; when, amidst clouds of incense and the blaze of myriads of lights, the deep tones of the organ, vibrating through the long aisles, mingled with the voices of the priests, as they chanted their sad requiem to the soul of their departed sovereign.

In 1570—twelve years after the death of his father—Philip paid a visit to the monastery of Yuste. As his carriage wound round the road by the garden wall, he paused to read an inscription cut on the corner-stone beneath the imperial arms: "In this holy house of Jerome of Yuste, Charles the Fifth, emperor, king of the Spains, most Christian, most invincible, passed the close of a life which he had devoted to the defence of the faith and the maintenance of justice." Alighting from his carriage, the king passed through the garden, still filled with the sweet odours of the lime and the orange, and a wilderness of flowering shrubs, that his father had loved to tend. On the wall of the covered terrace the king might have read another inscription, recording the day on which his father's last illness was supposed to have begun: "His majesty, the emperor Don Charles the Fifth, our lord, was sitting in this place when he was taken ill, on the thirty-first of August, at four in the afternoon. He died on the twenty-first of September, at half-past two in the morning, in the year of grace 1558." The former date should have been a day earlier; and the error shows that the record was made by the monks, as it is the same error into which the Jeronymite chroniclers have fallen in their account of his illness.

Philip carefully examined every part of the dwelling. From a feeling of reverence, he was unwilling to pass the night in his father's chamber, but occupied a small room next to it, hardly large enough to accommodate his couch. Two days were spent by him at Yuste. He does not seem to have been very lavish of his bounty to the monks, leaving them, at his departure, nothing better to remind them of his visit than some relics and a gold cup.

He may have thought that they had gained profit enough, as well as honour, by the emperor's residence among them. Not long after, he took from them the picture which had become the pride of their convent,—the Last Judgment of Titian. It was removed to the palace monastery of the Escorial, where it found a more conspicuous place than in the obscure solitudes of Yuste. The king replaced it by a faithful copy, to be hung over the high altar of the chapel, which several years later was embellished with some rich decorations by the hand of Herrera, the principal architect of the Escorial.

Not many years elapsed before the brethren met with a misfortune which touched them even more nearly than the loss of Titian's picture. This was the removal of the emperor's body from their convent. The circumstance of his having selected Yuste as the retreat in which to pass the evening of his days was not more a source of pride to the monks of St. Jerome than that of their being allowed to retain possession of his remains. But in the winter of 1574 the Escorial was so far advanced as to be ready for their reception; and Philip the Second put in execution the plan he had formed of gathering together the ashes of his kindred and depositing them in the superb mausoleum which he had consecrated to the house of Austria. Arrangements were accordingly made for removing from the different places where they had been interred the bodies of the empress Isabella and two of her sons, who had died in early age, the remains of Mary of Portugal, the first wife of Philip, and, lastly those of Queen Eleanor of France from their resting-place at Merida.

The funeral processions met at Yuste, where they were joined by a deputation of the monks of St. Jerome, escorting the body of the emperor. Loud was the lament of the brotherhood, as they saw the preparations that were making for depriving them for ever of their deceased sovereign. They felt that the glory that had rested on their convent was departing for ever. The orator chosen for the occasion gave utterance to his grief in a gush of warm, impassioned eloquence which showed him to be a worthy disciple of the school of Villalva. Apostrophizing the shade of Charles, he expatiated on the feelings of love and reverence with which the brethren of Yuste would ever cherish the memory of him who had condescended to take up his abode among them. "The Almighty," said the speaker, "has confined all things—the heavens, the earth, and the sea—within their proper bounds. To love alone he set no limit." The people in the neighbouring country shared in the grief of the Jeronymites, and seemed to feel that a portion of that glory which the presence of the emperor had shed upon Yuste was reflected upon them. As the long procession took its way through Cuacos, whose unruly peasantry, it may be remembered, had been a constant source of annoyance to Charles, the inhabitants expressed their regret by a dramatic representation, in which the personifications of the Village and the Desert were made to condole with each other, in rustic verse, on their bereavement.

In the procession were twenty-six friars of the mendicant orders, with eight of the Jeronymites from Yuste. The number was augmented by some of the principal ecclesiastics and great lords of the court. Five mourning-coaches bore the bodies of the deceased; and the funeral train performed its march so slowly that it was ten days before it reached its place of destination. A cloud had long been gathering above the hills that surround the Escorial; and as the wayworn company entered the consecrated precincts, the storm beat with fury on the gray walls of the monastery. It was amidst this turmoil of the elements, making the vast edifice tremble to its foundation, that the peaceful remains of Charles and his kindred were again committed to the earth.

The emperor's obsequies were conducted here with the same solemn pomp

that had attended them at Yuste. By a singular coincidence, the funeral discourse was again pronounced by Villalva, now become the favourite preacher of Philip the Second. The emperor's remains, agreeably to his desire, were laid as nearly as possible beneath the altar, somewhat in front of it, by the side of his beloved Isabella. Above, in a shrine of jasper, the statues of the illustrious pair, executed in copper by Leoni, might be seen, in their finely-wrought mantles, kneeling side by side, with hands clasped, in an attitude of devotion. Behind were the effigies of Charles's two sisters, the queens of France and Hungary, kneeling also, with hands outstretched and their faces turned towards the altar. The bodies of the two royal matrons were deposited in the vault below, near that of their imperial brother; and the friends who had loved one another in life were not divided by death.

Yuste, which had been so long honoured as the residence of royalty, was permitted to assume the title of *royal*. The palace became in a particular manner the care of the government; and in 1638 Philip the Fourth appropriated six thousand ducats for placing it in complete repair. Little was heard of it during the remainder of that century, or the following; and the sorrowful prediction of the Jeronymite orator, that the day would come when Charles's residence in the convent would pass from the memory of men, seemed almost to be verified.

The obscurity of Yuste proved its best protection. The time was to come, however, when this would cease to be so. During the Peninsular War, in 1810, a party of French dragoons, foraging in the neighbourhood, found the murdered body of one of their comrades not far from the gates of Yuste. Not doubting that he had been made away with by the monks, the infuriated soldiery broke into the convent, scattered its terrified inmates, and set fire to the buildings in various places. For eight days the vast pile continued to burn, with no attempt to check the conflagration. On the ninth it was left a heap of smouldering ruins, a small remnant of the western cloister alone surviving of the main body of the building. The church, from the strength of its walls, was happily able to defy the flames, and served, in its turn, to protect the palace, which, in the rear, had always leaned against it for support.

In 1820 an irruption of the patriots from the neighbouring villages completed the work of destruction. They defaced the interior of the buildings that yet remained, despoiling them of every portable article of value, and turning the church itself into a stable. The fine copy of Titian's Last Judgment, which had hung above the high altar ever since the time of Philip the Second, was appropriated by the liberals of Tejuela and reserved to adorn the walls of their parish church.

Still the monks, though scared from their abodes, continued to linger in the neighbourhood, as loath to resign their early home, endeared to them by many glorious recollections. With the first glimpse of better times, a small number of them returned to their ancient quarters, where they contrived for themselves such accommodations as they could amidst the ruins of the cloisters. Here they were visited by more than one traveller, who bears testimony that the brethren still retained their ancient virtue of hospitality, though they had but scanty means for the exercise of it. Their monastic life was destined, however, to be of no long duration. In 1837 came the fatal decree for the suppression of the convents; and the poor Jeronymites, many of them broken by age and infirmities, were once more turned adrift upon the pitiless world, without a home, without even a grave to lie in.

Thus tenantless and neglected, Yuste has gone rapidly to decay. The traveller who visits it now, as he works his way with difficulty through the

tangled wilderness of shrubs in what was once the garden, finds little to remind him that the hand of cultivation was ever there. Yet just without the walls he may still see the great walnut-tree of Yuste spreading its broad arms over the spot where once the multitude was gathered to celebrate the birthday of Charles, and where, as it is said, the monarch himself would often sit and muse,—it may be on the faded glories of the past, or on the darker future.

The stranger may now enter the palace without the need of the royal permit which Charles the Fifth, as we have seen, thought of sufficient importance to make it the subject of special injunction to his son Philip on his death-bed. But as he wanders through the dreary and desolate chambers, now turned into a magazine for grain and olives, the visitor will find it no easy matter to repeople them with the images of former days, when Charles gave audience to foreign envoys in these very apartments, and when priests and nobles stood around his bed, hanging with awful reverence on the last accents of their dying master.

Without, the touch of decay is upon everything. The church still stands; but the delicately carved woodwork of the choir, and the beautiful tiles that adorned the walls, have fallen from their places or been torn away by the hand of violence. All around, the ground is covered with the wreck of former splendours,—with fallen columns and shattered arches; while the black and scathed walls of the older cloister still tower in gloomy grandeur above the scene of desolation. Yet even here kind Nature has been busy, as usual, in covering up the ravages of time and violence,—spreading over them her rich embroidery of wild flowers, and clothing the ghastly skeleton in a robe of beauty.[4]

Yuste lives only in the memory of the past. Already her name begins to disappear from the map. But she will ever hold her place in history; and travellers from many a distant clime shall long repair to the memorable spot where, withdrawn from the turmoil of the world, lived and died the greatest monarch of the sixteenth century.

[4] The most copious, as well as interesting, account of Yuste in its present dilapidated state is to be found in Ford's "Handbook of Spain," vol. i. pp 552, 553 (ed. 1845), and in the closing pages of Stirling's "Cloister Life of Charles the Fifth." The rich and eloquent descriptions of both these writers show that they were inspired in full measure by the *genius loci*.

INDEX.

INDEX.

A.

Adorni, the faction of, assists Colonna in the reduction of Genoa, 226.

Adrian of Utrecht, preceptor to Charles V., 165. Shows authority from Charles V. to act as regent until his arrival, 167. His dignity only nominal, the real power resting with Ximenes, 167. Made viceroy of Castile by Charles V. on his departure for Germany, 186. Chosen pope upon Leo's death, 225. As regent of Spain, his plans for suppressing the insurrections, 230. His incapacity as regent, 231. Requested to resign, 232. Padilla, having seized the seals and archives, leaves him without power, 233. Two noblemen appointed by Charles as his associates in the regency, 233. The junta demand of Charles that his regency be declared void, 234. Assumes the pontificate, 244. Ill feeling of the Italians, 244. His justice and moderation, 244. His endeavours for peace, 244. Death of, 249. Joy of the Roman people, 249. Cardinal de' Medici chosen his successor as Clement VII., 249. The theological learning and simple manners of Adrian, 253. His endeavours to suppress Luther's opinions, 253. He denounces the corruptions of the Church, 253. The difficulties resulting from his candour, 255.

Africa, desolations occasioned by the Goths in, 91.

Agricola appointed by the emperor to prepare the *Interim*, 458.

Aix-la-Chapelle, the emperor Charles crowned there, 192. Ferdinand crowned king of the Romans there, 312.

Alarcon, Don Ferdinand, intrusted with the custody of Francis, taken prisoner at the battle of Pavia, 264. Delivers up the captive king, 275. Sent as ambassador to Francis, 282. Intrusted with the custody of Pope Clement, 290.

Albany, John Stuart, duke of, commands the French army sent by Francis I. to invade Naples, 261.

Albert, elector of Mentz, is intrusted with the publication of indulgences in Germany, 193.

Albert of Brandenburg gains possession of part of Prussia, 280. Marries a princess of Denmark and professes the Protestant religion, 280. Joins the emperor against the Protestant league, 418. Endeavouring to join Maurice with his forces, is intercepted and beaten by the elector of Saxony, 429. Charles undertakes to release him from his obligation to the elector of Saxony, 472. Sent by Maurice to hasten the march of his ally, Henry II., 486. His ambition and lawless warfare, 493. Included in the treaty between Maurice and the emperor, upon conditions, 498. Refuses to take the benefit of the treaty of Passau, 499. After hovering on both armies, joins the emperor at the siege of Metz, 502. Employs a new army, 506. Defeated in battle by Maurice, 507. Levies a new army, but is defeated by Henry of Brunswick, 508. His fall and subsequent career, 508.

Alcántara, orders of, 74.

Alençon, duchess of, intercedes for the release of her brother Francis, 273.

Alexander VI., Pope, 60, 75. Character of, 205.

Alfonso, king of Naples, claims the duchy of Milan, 66.

Alfred the Great, 11.

Algiers, its king murdered and the government seized by Horuc Barbarossa, 326. Governed by Hayradin, his brother, 327. Is taken under the protection of the sultan, 327. Expedition planned by Charles against, 375. A storm prostrates his army and sinks his fleet, 376, 377.

Alraschid, his pretensions to the throne of Tunis, 327, 328. Treachery of Barbarossa towards him, 328.

Alva, duke of, remains faithful to Ferdinand, 159. Defends Perpignan, 382. Commander of the emperor's forces against the city of Metz, 502. Appointed general of the imperial forces in Piedmont, 524. Made vicar general in Italy, with supreme military authority, 524. Not successful in his campaign, 524. Commands the forces of Philip against the pope, 546. His victorious progress towards Rome, 632. Is compelled by Philip's treaty to ask the pope's pardon, 633.

Amerstorf sent as an associate with Ximenes in the regency of Castile by Charles V., 171.

Ammianus, his character of the Huns, 92.

Amurath, the corps of janizaries formed by him, 87.

Anabaptists, the rising of, in Westphalia,

their rule in Munster, and their final overthrow, 319–324. See *Matthias* and *Boccold.*
Anhalt, the prince of, avows the doctrines of Luther, 253. Aids in the league of the Protestants against Charles, 418.
Angleria, Peter Martyr, his testimony as to the shameless rapacity of the Flemish followers of Charles V., 176.
Angoulême, the count of, 50.
Angulo, Fray Martin de, prior of Yuste, 648, *note.*
Anjou, contest for the kingdom of Naples by the house of, 64, 65.
Appeal, the right of, 28–30.
Appeals, first entertained from baronial courts, 124.
Arabian scholars, 36. Philosophers, 129.
Aragon, contest for the kingdom of Naples by the house of, 65. Rise of the kingdom of, 68. Its union with Castile, 68. Appointment and power of the *justiza*, 134, 135. Note concerning the oath of allegiance to the sovereigns of, 135, 136. Privilege of union among its nobility, 135, 136. Rise of representative branch of government of, 136. Jealous care of its people for their liberties, 136, 137. Opposition to the Inquisition in, 137. Ferdinand receives the crown of, 155. The Cortes delay in recognizing Charles as king, and attach conditions to the donative voted, 176, 177. Don John de Lanuza made viceroy, 186. The spirit of sedition suppressed in, 243. Increase of royal power in, gained by Philip, 576.
Armies, the number and condition of, in the beginning of the fifteenth century, 41.
Army, the first standing, in France, 44, 45.
Artois seized by Louis XI., 48. Partly restored by Charles VIII., 52.
Ass, account of the feast of the, 103.
Augsburg, the emperor's entry into, 310. Submits to the emperor, after joining the Smalkaldic league, 428. The emperor violently alters the government of, 461. Seized by Maurice, 488.
Augsburg, Confession of, 310. League to maintain the, 529.
Aulic Council of Germany, powers of, 149.
Aumale, duke of, brother of the duke of Guise, taken prisoner at the siege of Metz, 502.
Austria, rise of the house of, by the acquisition of Hungary and Bohemia, 291, 292. Progress of the house of, 575, 576, 577.
Avignon, the papal authority transferred to, 60.
Avila, the painter and chronicler of Charles V., 630, 631.

B.

"Balance of Power," origin of, 53.
Bankers, the first, 132, 133.
Barbarossa, Hayradin, succeeds Horuc as king of Algiers, 327. Comes under the protection of the sultan, 327. Appointed to the command of the Turkish fleet, 327. Determines to conquer Tunis, 327. His plan successful, 327, 328. He is attacked by a large European force under Charles V., 329, 330. Defeated, 330, 331. Devastates the coast of Naples, 348. His fleet ravages the coast of Calabria, 386. Aids Francis in the siege of Nice, 386, 387.
Barbarossa, Horuc, his victory over the Spanish troops, 172. His birth and career as a corsair, 326. Becomes king of Algiers, 326. Acquires Tremecen, 327. Is slain in Tremecen, 327. Succeeded by his brother Hayradin, 327.
Barbary States, condition of, 325, 326. Usurpation of Horuc and Hayradin, 326, 327. The expedition of Charles V., 329–332.
Barcelona, its trade and wealth at the close of the fifteenth century, 138. Reception of the emperor in, 306.
Barons, their right of judging causes in their own fiefs, 123, *et seq.* Appeals allowed from the courts of, 124. See *Justice, Nobles.*
Bayard, the Chevalier, commander at Mézières, 220. His character, services, and death, 251, 252.
Belgrade, capture of, by Solyman, 228.
Bellay, William de, an agent sent by Francis into Germany, 313. An agent sent by Francis to the Protestants, 334, 335. French general in Piedmont, procures proof of the guilt of Del Guasto in the murder of Rincon, 380.
Benefices, the right of bestowing, usurped, 209. Openly sold, 210.
Black Bands, the, 53.
Boccold, John, an Anabaptist leader, 320. Rules Munster in place of Matthias, 321. Is crowned king, 321, 322. Marries fourteen wives, 322. Is besieged in Munster by the German princes, 323. The town captured and he put to death with torture, 323.
Bohemia, Ferdinand of Austria elected king of, 291. Progress of the Reformation in, 452. An association is formed to aid the league of Smalkalde, 452. Vengeance taken by Ferdinand, 452. Loss of the ancient privileges of the kingdom, 453.
Bologna, the General Council adjourns from Trent to, 454.
Bonnivet appointed to command the forces against Milan, 248. His inactivity and retreat, 248, 249. Defeated by Pescara and Morone, and forced to retreat from the Milanese, 251, 252. His rash counsel to Francis in favour of the expedition against Milan, 259. He advises the siege of Pavia, 260. His death, 263.
Books, scarcity of, in the Middle Ages, 102.
Boria, Catharine à, her marriage with Luther, 279.
Borja, Francisco de, visits the emperor, 603, 604. Sent on a mission to Portugal by Charles, 635.
Boroughs, representatives of, summoned to parliament, 19.
Bouillon, Robert de la Mark, lord of, declares war against Charles, 219.
Boulogne, besieged by Henry VIII., 394. Taken, 398.
Bourbon, Charles, duke of, is chagrined at the

preference shown by Francis to the duke d'Alençon, 220. His birth and character, 246. The treatment he received from Louise, the king's mother, 246. Her amorous passion, 246. Her revenge, 247. He eludes the king, 247, 248. Value of the services of, to the emperor, 251. Project of the emperor for giving him possession of Provence, 257, 258. Value of his services to the emperor in the Italian campaign, 260. Displeased because Lannoy had carried off Francis without consultation with him, 269. Goes to Madrid to look out for his own interests, 269. His reception by the emperor and court, 272. Eleanora of Portugal not inclined to marry him, 272. Made general in place of Pescara, and duke of Milan, 273. Captures the castle of Milan, 283. His necessities and expedients to raise money for his army in Milan, 285. Liberates Morone, 285. Admits Morone into his confidence, 285. Leaves Milan, 286. Menaces Florence, 287, 288. Resolves to take Rome, 288. The assault, 289. His death, 289.

Brandenburg, the elector of, embraces Luther's opinions, 253. The margraves of, become kings of Prussia, 280. See *Albert of Brandenburg*.

Brandenburg Anspach, John, marquis of, refuses to acknowledge the Interim, 460.

Brandenburg Bareith, John of, joins the emperor against the Protestant league, 418.

Bravo, Don John, commander of the insurgent forces of Segovia, taken prisoner and executed, 240.

Bretagne, dukes of, 42. The heiress of, married to Charles VIII., 51.

Brissac, Maréchal, commander of the French forces in Piedmont, gains advantage over the duke of Alva, 524.

Britons, their supplication to the Romans for aid against the Picts, 90.

Bruges 39.

Brunswick, the duke of, embraces Luther's opinions, 253. Takes the field against Muncer, 278.

Brunswick, Henry, duke of, undertaking to carry into effect an imperial decree against Goslar, is attacked by the league of Smalkalde and driven from his dominions, 389. Driven from his dominions by the Protestant princes, endeavours to recover his position by force, 403. Is taken prisoner, 403. Defeats Albert of Brandenburg in battle, 508.

Bucer appointed to represent the Protestant cause in a debate, 371.

Burgundy, dukes of, 42. Seized by Louis XI., 48. The schemes for the marriage of the heiress of, 49, 50. The deputies of, refuse to consent to the treaty whereby Francis ceded the country to Charles, 282.

C.

Cæsar, his account of the ancient Germans, 93, 94.

Cajetan, Cardinal, appointed to hear Luther, 198. Demands Luther's recantation, 198. Demands of the elector to send Luther a prisoner to Rome, 199.

Calais, taken by the French under the duke of Guise, 559, 560, 639.

Calatrava, the military order of, 74.

Cambray, the league of, 55, 56.

Campe, peace of, between Henry VIII. and Francis, 417.

Campeggio, nuncio of Pope Clement to the diet at Nuremberg, 256.

Canon Law. See *Law*.

Caraffa, afterwards Pope Paul IV., his character, etc., 533, 534.

Carlos, Don, his meeting with his grandfather the emperor, 597, 598.

Carlostadius, a reformer, his fanatical excesses, 252.

Carranza, archbishop of Toledo, visits the emperor upon his death-bed, 652. His words are reported by Regla to the Holy Office, 653.

Castaldo, set as a spy by Ferdinand upon Martinuzzi, 482. Assassinates Martinuzzi, 483.

Castile, its nobles try and depose King Henry IV., 69, 70. The form of government of, 71, 72. Note upon the constitution of, 137. The representative branch of the government of, 137. Isabella raised to the throne of, 155. Ferdinand of Aragon appointed regent of, 157. Jealousy of the people of, towards Ferdinand of Aragon, 159. The nobility prefer Philip to Ferdinand as regent, 159. Ferdinand attempts to supplant Joanna and her posterity, 159. He marries a niece of Louis XII., 159. Philip obtains the regency, 160. His death, 161. Contest for the regency, 162. Maximilian claims it, 162. Ferdinand is supported by Ximenes, 162, 163. Becomes regent, 163. Tranquility under Ferdinand, 163. Territories in Africa annexed to the crown of, 163. Ferdinand dies, 164. He appoints Cardinal Ximenes regent until the arrival of Charles V., 166. Adrian of Utrecht authorized by Charles to assume the regency, 167. The real power wielded by Ximenes, 167. Ximenes induces the people to receive Charles as king, 168. He curtails the power of the nobles, 168, 169. Procures for the crown a military force, 169. Enlarges the royal revenue by wresting crown lands from the possession of the nobles, 170. The nobles send a deputation to Ximenes and receive his answer, 170. The Flemish ministers of Charles persuade him to send associates in the regency to curb Ximenes, 171. Ximenes retains an easy supremacy, 171. The Cortes proclaim Charles V. king, and vote him an allowance, 175. The opposition of the people to the assumption of the imperial dignity by Charles, 185. The Cortes remonstrate against assembling in Galicia, 185, 186. The nobles are gained over to the king, 186. The Cardinal Adrian made viceroy of, 186. Indignation of the Castilians at the appointment, 186. Insurrec-

tions in, 229. The "Holy Junta," 232. The insurgents act in the name of Queen Joanna, 233. Charles sends letters to the cities and nobles of, 233. The remonstrance of the holy junta, 234, 235. Alarm of the nobles at the revolutionary plans of the junta, 236. The revolutionists take the field, 236. Conde de Haro obtains possession of Queen Joanna, the great seal, etc., 237. The insurgents supplied with money by the wife of Padilla, 238. Unwillingness of the nobles to attack the junta, 238. Their proposals for a union against royal misgovernment, 238. The causes of division and weakness, 238, 239. Defeat of the junta, 239–241. Effect of the unsuccessful revolt to strengthen the royal power, 242. The Cortes and the cities lose their privileges, 242. Charles's clemency, 244. The Cortes refuse to grant money to Charles, and complain of his foreign policy, 356. The Cortes dismissed by Charles, 356. The power of the nobles on the wane, 356. The increase of royal power in, gained by Charles V., 576.

Catalonia, rebellion in, 69.

Catharine of Aragon, queen of Henry VIII. See *Henry VIII.*

Cavalry, former importance of, 41, 45.

Cerisoles, victory of the French at, 393.

Châlons, Philibert de, commander of the army after the death of Bourbon, 290. Killed at the siege of Florence, 307.

Champs de Mars and de Mai, account of those assemblies of the Gauls, 140.

Charlemagne, 11, 36. Dismemberment of the empire of, 80. His administration of justice, 124.

Charles IV., emperor of Germany, dissipates the imperial domains, 146. His observations on the manners of the clergy, 205, *note.*

Charles V., birth and parentage of, 155. His dominions enlarged by his grandfather Ferdinand, 163. Jealousy of Ferdinand towards, 163. Ferdinand's will in favour of, 164. His age and residence at the death of Ferdinand, 164. His education under Chièvres, 164, 165. His character and manners, 165. The venality of the Flemish courtiers, and the consequent indignation of Ximenes, 172. He is urged by Ximenes to set out for Spain, 172. The obstacles in the way of his doing so, 172, 173. He makes a treaty with Francis of France, 173. Endeavours of Chièvres and the Flemings to prevent his going to Spain, 173. He makes the journey, 174. His reception, 174. His neglect of the wholesome advice of Ximenes, 174. His cold and cruel treatment of Ximenes, followed by the death of the latter, 174, 175. He is proclaimed king, though not without difficulty, 175. His gross partiality towards his Flemish favourites, 175. Their shameless rapacity, 176. His ignorance of the Spanish language, 175. He appoints Sauvage chancellor of Castile, 176; and appoints De Croy archbishop of Toledo, 176. Visits the capital of Aragon, 176. The difficulty he encountered in being recognized as king, 176. Caution of the Cortes in granting him money, 176, 177. He refuses to give up Navarre, 177. He is coldly received in Catalonia, 177. The nobles of Castile form a league against the Flemish favourites of the king, 177. He neglects their remonstrances, 177. Aspires to become emperor in room of Maximilian, deceased, arguments and arts employed, 177–179. The Swiss cantons espouse his cause, 180. Pope Leo X. endeavours to frustrate his election, 180, 181. Frederic of Saxony declines in his favour, 181, 182. He offers Frederic money, which is promptly refused, 182. He is unanimously elected emperor, 183. His ambassadors sign a *capitulation* or contract with his subjects, 183. His joy at the result, 183. Assumes the style of *majesty*, 183. Accepts the imperial dignity, 184. The opposition of his Spanish subjects to his becoming emperor, 183, 184. Disorders in Valencia, 184, 185. The nobles refuse to acknowledge Adrian as his representative, 185. He aids the people against the nobles, 185. The feeling in Castile against his removal, 185. He summons the Cortes to meet in Galicia, 185. He gains over the nobles and obtains a donative, 186. He makes Cardinal Adrian viceroy of Castile, 186. Departs for Germany, 186. Reasons for immediately visiting Germany, 187. Grounds for hostility between himself and Francis I., 187, 188. Endeavours to gain the alliance of Henry VIII. of England, 188. Visits England, 190, 191. Gains over Wolsey to his interest, 191. Is crowned at Aix-la-Chapelle, 192. Calls a diet at Worms to suppress the Reformation, 192. Summons Luther to the diet at Worms, 214. Reasons which prevented him from favouring Luther, 214. Decree against Luther, 214. Probability of a war with Francis I., 216. Manœuvres of Pope Leo between the rival monarchs, 216, *et seq.* Makes a treaty with Pope Leo against Francis, 217, 218. Conceals his movements from Chièvres, 218. Death of Chièvres, 218. Francis makes war against him, in behalf of the children of D'Albret, for Navarre, 218. The country conquered, 219. Navarre reconquered, 219. Robert de la Mark of Bouillon declares war against him, 219. Sends an army to chastise De la Mark, 220. Henry VIII. undertakes to mediate, and appoints Wolsey, 220. The congress unsuccessful, 221. Makes a new treaty with Henry through Wolsey, 221. The pope Leo X. espouses his cause in Italy against the French, 222, 223. His general, Pescara, takes Milan from the French, 224. Adrian of Utrecht made pope by his influence, 225. Colonna reduces Genoa, 226. Visits Henry in England, 227. Lautrec attempts to reconquer the Milanese, 225. Lautrec defeated through the vigilance of Morone, 225, 226. Henry declares

war against Francis, 227. Grants the island of Malta to the Knights of St. John, 228. He arrives in Spain, 229. Insurrections during his absence, 229–233. Sends a circular letter to the cities of Castile, 233. Also to the nobles, 233. The demands of the "Holy Junta," 234, 235. Return of the commission without presenting the remonstrance, 236. The royalists and the insurgents take the field, 236, 237. Success of the former, 237. Divisions and weakness of the latter, 238, 239. Defeat of the insurgents, 239–241. Increase of his power upon the defeat of the junta, 242. His viceroy suppresses the insurrection in Valencia, 243. The divisions between the Spanish kingdoms prevent a successful confederacy, 243, 244. His clemency to the rebels, 244. Adrian upon becoming pope desires to bring about peace, 245. The Italian states join with him against Francis, 245. The duke of Bourbon joins him, 247. Defence of Milan, 248, 249. His neglect of his promise to Wolsey, 249. Wolsey's resentment, 249. The movements of Henry VIII., his ally, 250. His ill success against Burgundy and Guienne, 250. Renewal of hostilities, 250, 251. Pope Clement endeavours to make peace, 251. His generals drive the French from the Milanese, 251, 252. Views of the Italian states as to his quarrel with Francis, 257. His project for invading Provence, 257. Defeat of his forces, 258. His possessions and military resources, 259. Movements of his forces in Italy, 259, 260. The genius and bravery of his generals, 260. Siege of Pavia, 260. Pope Clement becomes jealous of his success, 261. The imperial forces march to the relief of Pavia, 262. Defeat and capture of Francis, 262, 263. His reception of the news, 264. Policy of Henry VIII., 265, 266. Henry demands the custody of Francis, 266. Refuses to ratify Lannoy's treaty with the pope, but yet keeps the pope's money, 266. His narrow resources a check to his ambition, 267. His demands of the captive king Francis, 267. Carries Francis to Spain, 268. Henry VIII. makes an alliance with France against him, 268. The conspiracy of Morone against him, 268–271. His treatment of Francis, 271. Makes him a visit, 272. His reception of Bourbon, 272. Makes him general in Italy, and duke of Milan, 272. Proposes hard terms for the release of Francis, 273. Signs a treaty for the liberation of Francis, 273. Marries Isabella of Portugal, 275. Receives a large dowry, 276. State of Germany during his absence, 276, *et seq.* Francis delays the execution of the treaty, 280. Francis forms a league with the Italian states against him, 281. The pope absolves Francis from his oath, 281. Sends ambassadors to summon Francis to perform his agreement or return a prisoner to Madrid, 282. Complains of the bad faith of Francis, 282. His preparations, 283. His forces under the duke of Bourbon take Milan, 283. His ambassador induces Cardinal Colonna to surprise the pope, 284. He dictates terms to the pope, 284. Increase of his army, and straitened circumstances, 285. Lannoy makes a treaty with the pope, 287; which Bourbon disregards, 287, 288. The assault of Rome by his troops under Bourbon, 289, 290. His secret joy at the reduction of Rome and the capture of the pope, 291. His disinclination to suppress the Reformation in Germany, 292. His appeal from the pope to a general council, 292. Indignation throughout Europe at his treatment of the pope, 293. League against him, 293, 294, 295. His generals unable to govern their troops in Rome, or lead them to any new expedition, 294, 295. Operations of the allies against him, 295. His reasons for not carrying the pope to Spain, 296. The Cortes of Castile refuse to grant him money, 296. Agrees to liberate the pope upon an exorbitant ransom, 296. The pope makes his escape, 296. His propositions to Francis and Henry declined or evaded, 297. They declare war against him, 297. His replies, 297. Francis challenges him to single combat, 298. His army at last leaves Rome, 298. Enters Naples, 298. His army in Naples besieged by the allies under Lautrec, 299. Defections and disasters in the allied army, 299–301. His army routs the French in the Milanese, 302. Movements for peace by Margaret of Austria and Louise of Savoy, 303. Makes a treaty with the pope, 303. Concludes a treaty with Francis at Cambray, 303, 304. Contrast in character between him and Francis, 304, 305. Lands in Italy, 306. His reception in Barcelona, 306. Meets the pope at Bologna, 306. His conduct in Italy, 306, 307. Pardons Sforza, gives him possession of Milan and his niece in marriage, 307. Re-establishes Alexander de' Medici in Florence, 307. Proclaimed king of Lombardy and emperor of the Romans, 308. Turns attention to the state of religion in Germany, 308. His interview with the pope concerning the Protestants, 309. His entry into Augsburg, 310. Efforts at conciliation without avail, 310. Advises a decree against the Protestants, 311. Makes his brother Ferdinand king of the Romans, 311, 312. Indisposed to extirpate the Protestants, 313. Comes to an agreement with the Protestant princes, 313, 314. Raises an army to repel Solyman, 314. Forces him to retire, 314. Meets the pope a second time at Bologna, 314. Urges him to call a general council, 315. Induces the Italian states to form a league for their defence, 315, 316. Disbands his forces in Italy, 316. Sails for Spain, 316. Francis endeavours to excite the enmity of the pope against him, 316, 317. Undertakes to restore Muley-Hascen to the throne of Tunis, 328, 329. Heads the expedition, 329. Reduces the Goletta, 329, 330. Conquers Barbarossa, 330. His troops plunder the city, 331. Imposes a treaty

upon Muley-Hascen, 331. The fame of the emperor from this undertaking, 332. The duke of Savoy applies to him for aid, 337. Takes possession of Milan upon the death of Sforza, 338. His duplicity towards Francis concerning Milan, 338. Prepares for war, 338. Makes an harangue against Francis at Rome, 339, 340. Commencement of hostilities, 341. He is aided by the treason of Saluces, 342. Invades France, 343. Baffled by the cautious policy of the French, 343, 344. His retreat, 345. Proclamation against him by Francis, 346. A truce agreed upon, 347, 348. The sultan joins Francis against him, 347, 348. The pope endeavours to bring him and Francis together, 348, 349. Invited by Francis to visit him, 349, 350. Marries his natural daughter, Margaret, to the grandson of the pope, 350. Aids Cosmo de' Medici in his government of Florence, 351. Renews negotiations with Henry VIII., 352. His policy towards the German Protestants, 352, 353, 354. His action with reference to the proposed council, 353. Mutiny in his armies on account of arrears of pay due, 355. The Cortes of Castile refuse to grant him money, 356. Dissolves the Cortes, 356. Depresses the nobles, 356. His prudence or timidity towards the duke of Infantado, 357. The city of Ghent refuses to pay its quota of taxes, 357. His haughty treatment of the messengers from Ghent, 358. Francis informs him of the proposal of Ghent, 359. Obtains permission to pass through France, 360. His visit in Paris, 361. Delays fulfilling his promise to Francis concerning Milan, 361. His cruel treatment of the insurgents in Ghent, 362. Refuses to give Francis possession of Milan, 362. Is present at a discussion between the Protestants and Catholics in Germany, 370–372. His reasons for lenity towards the Protestants, 372, 373. Makes concessions to the Protestants, 375. Confers with the pope concerning the religious difficulties in Germany, 375. Is unwilling to attempt the recovery of Hungary, 375, 376. Raises an expedition against the pirates of Algiers, 375, 376. Is advised by Doria not to set sail in the stormy season, 376. The army upon landing is exposed to a furious tempest, 377. Most of his fleet destroyed, 377. Marches with his shattered forces to Metafuz, 378. Reaches Spain, 378. Francis meditates renewal of hostilities against him, 379; but is unable to procure active allies save Denmark and Sweden, 380, 381. Marquis del Guasto, governor of Milan, murders two ambassadors of Francis, 380. Francis demands redress, 380. Francis equips five armies against him, 381. Operations in Roussillon, 382. Borrows money of John, king of Portugal, and pledges to him the Molucca Isles, 382. Contracts for the marriage of his son Philip with Mary, daughter of John, 383. Sails to Italy, 383. Conference with the pope, 383. Withdraws his forces from Florence, 383. Makes a league with Henry VIII., 383. Invades the duchy of Cleves and humbles the duke, 385, 386. Besieges Landrecy, but is forced to retire, 386. His troops march to the relief of Nice, besieged by the French and Turks, 387. His personal animosity towards Francis, 387. He endeavours to rouse the German princes against Francis, 387. His concessions in favour of the Protestants, 389, 391. Holds a diet at Spires, 389. He courts the chiefs of the Protestant party, 390. Demands the assistance of the German princes against Francis and the Turks, 390. War declared against Francis in the name of the empire, 391. Secures the alliance of Denmark and England, 391. His army under Del Guasto defeated at Cerisoles, 393. Takes the field against France, 393. Besieges St. Disier, 394. Want of harmony in action between him and his ally, Henry VIII., 394. Gains St. Disier by a stratagem, 395. Overtures made for peace, 395. Advances towards Paris, 395. Demands of Henry VIII. to fulfil his agreement, 395. Makes a treaty with Francis, 396. His motives for making peace, 396, 397. The pope remonstrates against his course towards the Protestants, 397. His skill in adapting his treaty with Francis to his circumstances, 397, 398. Promises Ferdinand's daughter in marriage to the duke of Orleans, 399. Has the gout, 399. Designs to humble the Protestant party of Germany. 399. Favours the meeting of the council at Trent, 399. Makes pacific overtures to the Porte, 399, 402. The diet at Worms, 399. His altered conduct to the Protestants, 399, 400. Arrives at Worms, 401. Postpones the settlement of the difficulty, 401. Summons the archbishop of Cologne to trial for heresy, 402. Persecutes the Lutherans in Netherlands, 402. Is freed from his engagement to Francis by the death of the duke of Orleans, 402. Declines remodelling the treaty of Crespy, 402. Refuses to confirm the investiture of Parma, etc., granted by Pope Paul III. to his son, Peter Lewis, 403. His conduct respecting the council of Trent, 404. Apprehensions of the Protestants as to his intentions, 405. Concludes a treaty with Solyman, 412. Counts upon divisions among the German princes, 412. Opens the diet at Ratisbon, 412. His dissimulation towards the Protestants, 413. Makes a treaty with the pope to suppress them, 414. His artful circular to the German princes, 414, 415. The pope publishes the terms of the treaty, 415. His duplicity, 415. The Protestant confederates endeavour to procure aid against him, 416, 417. The confederates raise an army against him, 417, 418. They publish an appeal to him, 418, 419. He pronounces against them the ban of the empire, 419. Marches from Ratisbon and joins the pope's forces, 421. Takes a fortified position at Ingoldstadt, 421. Refuses to leave the

trenches to give battle, 422. Receives a reinforcement from the Netherlands, 423. Necessities of his army, 423. Makes a treaty with Maurice of Saxony, 424. The army of the league of Smalkalde is divided, 426, 427. He pursues his advantage, 427, 428. Dismisses his Flemish troops, 429. The pope recalls his own troops, 429. Is prevented from invading Saxony by the insurrection in Genoa, 430. Is sent for to attack Jerome Fiesco, 436. Francis endeavours to form alliances against him, 437, 438. Relieved from apprehension of the combination against him by the death of Francis, 439. Contrast between his character, talents, and government, and those of his rival, Francis, 439–441. Marches against the elector of Saxony, 441. Takes him prisoner, 443. His treatment of the elector, 444. Attempts to capture Wittemberg, 444, 445. Tries the elector before a court-martial, 445. Agrees to spare the life of the elector upon conditions, 446. Comes to an agreement with the landgrave, 447–449. His severe and unjust treatment of the landgrave, 448, 449. Detains the landgrave a prisoner, 450. Refuses to listen to advice, 450, 451. Takes vengeance upon all the members of the Smalkaldic league, 451. Treats the Germans as a conquered people, 451. Holds a diet at Augsburg, 453. Re-establishes the Roman worship by force, 453. The general council removes to Bologna, causing a schism, 454. The prelates in the emperor's interest remain at Trent, 454. His officers are concerned in the overthrow of Peter Lewis Farnese of Placentia, 454. He seizes and refuses to give up Placentia, 455. His adroit management in securing a union among the German ecclesiastics, 456. Demands of the pope that the council should return to Trent, 457. Protests against the legality of the session at Bologna, 457. Appoints divines to prepare a system of doctrine, 458. Enforces the *Interim* as a decree of the empire, 458. Is unable to induce the captive elector of Saxony to approve the *Interim*, 460. Subverts the free governments of Augsburg, Ulm, and other cities, 461, 462. The pope dismisses the Council of Bologna, 462. Charles orders his prelates to remain at Trent, 463. Receives a visit from his son Philip at Brussels, 463. Gives his daughter Mary in marriage to Maximilian, son of Ferdinand, 463. Enforces the *Interim* in the German cities, 463. Calls a diet at Augsburg, 467. His measures against the German Protestants are met by Maurice of Saxony, 467–469. Maurice deceives him by his menaces towards Magdeburg, 470. Determines to reduce Magdeburg, 470. Appoints Maurice to command the army against the city, 471. Approves the council at Trent, 471. Is solicited anew to give the landgrave his liberty, 471. Absolves Maurice and the elector of Brandenburg from their engagements to the landgrave, 472. His schemes for procuring the succession for Philip, 472. Intoxicating influence of success upon his mind, 472. Endeavours to induce his brother Ferdinand to renounce his claim to the succession in the empire, 473. Proposes his son Philip to the electors, 473. His schemes frustrated, 474. The pope obtains his assistance against Octavio Farnese, governor of Parma, 475, 476. Endeavours to sustain the authority of the Council of Trent, 476. Takes severe measures against the Protestants, 476, 477. Takes up his residence at Inspruck, 477. The city of Magdeburg, invested by his troops, surrenders to Maurice of Saxony, 478. Maurice, though scheming against the emperor, manages to amuse him, 478–480. His attention occupied by the proceedings of the Council of Trent, 480. Maurice of Saxony engages Henry II. of France in a league against him, 483, 484. Maurice makes a formal demand for the liberation of the landgrave, 485. The emperor's suspicions lulled by Maurice, 485. Granvelle, his minister, bribes the ministers of Maurice, but to no purpose, 486, 487. Maurice publishes a manifesto, and takes the field against him, 487. His unprotected position and lack of resources, 488. Attempts to negotiate, 488. Hearing of Maurice's approach, he flies from Inspruck, 490. Sets free the captive elector of Saxony, 491. Ferdinand in his name meets the German princes at Passau, 494. Ferdinand urges him to come to terms with Maurice, 495. The emperor refuses, 496. Maurice renews hostilities, 496. Ferdinand persuades him to make concessions, 496. Peace agreed upon at Passau, 497. Attempts to regain possession of the towns conquered by Henry, 500. He falls upon Metz, 502. His vanguard routed by a sally from the city, 502. Albert of Brandenburg becomes an ally in the siege, 502, 503. Sufferings of his troops, 503. He raises the siege, 504. Generosity of the duke of Guise to his sick and wounded troops, 504. Borrows money of Cosmo de' Medici, 504. He loses Siena, 505. Retires into the Netherlands, 506. His army takes Terouenne and Hesden, 509. His losses in Italy, 510. Proposes his son Philip as a husband to Mary of England, 514, 515. The negotiations, 515, 516. The nuptials, 516. Keeps an army in Flanders to support his son, 517. England refuses to assist him against France, 517, 518. Henry commences a campaign against him in the Netherlands, 518. Battle at Renti, 519. Agreement with Cosmo de' Medici, 520. Who dislodges the French from Siena, 520–522. The emperor takes possession of Siena, violating the terms of capitulation, 523. Persuaded by Ruy Gomez de Silva to name his rival, the duke of Alva, as commander in Piedmont, 524. Alva fails to satisfy the emperor's expectations in the campaign, 424. Plot of a Franciscan to deliver Metz to the imperial troops disco-

vered and frustrated, 524–526. His plenipotentiaries attend a peace conference called at the instance of Cardinal Pole, 526. He summons a diet to meet at Augsburg, 527. Resumes his plan for procuring the succession for Philip, 528. The antipathy of Pope Paul IV. and his nephews against him, 535. The pope proposes to Henry of France an alliance against him, 535. Resigns his hereditary dominions to his son Philip, 537. The reasons which moved him to the step, 538. The ceremony of the resignation, 539–541. Reserves a pension for himself, 541. Persuades Philip to agree to a truce with France, 542. His last unsuccessful attempt to procure the succession of the empire for Philip, 547. Resigns the government of the empire to Ferdinand, 548. Sets sail for Spain, 548. Takes up his abode at the monastery of St. Justus, or Yuste, 549. His resignation accepted by the electors, 561. His amusements at St. Justus, 566, 567. His penances, 567. His death, 568. His characteristics, 568, *et seq.* Comparison between him and his rivals, Francis I. and Henry VIII., 568, 569. A view of his acquisitions as transmitted to Philip, 575, 576. Forms the design of abdicating the throne years before he accomplishes it, 591. Choice of Yuste for a residence, 591, 592. Orders a mansion to be erected at Yuste, 592. His departure from Brussels for Spain, 592. His household, 593. Meets his son Philip, 593. Lands in Spain, 594. His disappointment at his reception, 594. Intrusts Quixada with the care of his illegitimate son, Don John of Austria, 595. Makes him his major-domo, 595, 596. His reception at Burgos on his way to Yuste, 597. His meeting with his grandson, Don Carlos, 597. His stay at Valladolid, 598. His quarters with Rodrigo de Dueñas, 599. His stay with the count of Oropesa, 601. Preparations for him at Yuste, 602. His interest in Philip's war against Pope Paul IV., 602. His visitors, 603, 604. His inordinate appetite, 604–606. His consequent gout, 606, 607. His narrow resources, 607. Reduction of his household, 607, 608. His reception at Yuste, 608, 609. The style of his residence, 610, 611. His wardrobe, etc., 611, 612. His superstition, 612, 613. His connoisseurship in paintings, and patronage of Titian, 613. His library, 614. His mode of rewarding his chamberlain, Van Male, 615. The character and expenses of his household at Yuste, 615, 616. His habits, 617–620. His deference to his confessor, 617, 618. His attention to mechanism, 618, 619. His attention to music, 619; and to church ceremonies, etc., 619–621. His "profession" at Yuste, 622. His health, 623. His amusements, 624, 625. The erroneous opinions prevalent concerning his interest in public affairs, 626. Philip II. sends Ruy Gomez to confer with him, 627. He promises to assist Philip in financial matters, 627. His rage at the abstraction of the bullion from the public store, 628. His rejoicing over the victory at St. Quentin, 628, 629. Is overwhelmed with applicants for his influence and aid, 629. His attentions to Sepulveda the historian, 630. His freedom from vanity illustrated, 630, 631. His anxiety to hear from Philip, 631. The public expectation as to his leaving Yuste for active life, 631. Quiets his conscience as to Navarre, 632. His regret at the unequal terms of Philip's treaty with Pope Paul IV., 633, 634. His annoyances from his neighbours at Cuacos, 634. Instances of his lenity, 634. His interference to prevent his daughter Joanna's making claim to the regency of Portugal, 634, 635. Sends an envoy to make claim for Don Carlos, 635. Confesses to having written his autobiography, 636. The memoirs destroyed or lost, 636, 637. Receives a visit from his sisters, 637. His feelings upon the news of the fall of Calais, 639, 640. Death of his sister, the queen of France, 640. His affliction, 641. Receives a second visit from his sister Mary, 641. Receives the news of the acceptance of his resignation of the empire, 641, 642. His renunciation of the honours of sovereignty, 642. His alarm at the spread of the Protestant doctrines, 642. His intolerant bigotry, 643. His ill health, 644. Celebrates his own obsequies, 645. The Jeronymite account of the commencement of his fatal illness, 646–648. Makes a codicil to his will, 649. Pensions his attendants, 649. His bitter intolerance towards Luther and the heretics, 649, 650. Provides for his burial-place, 650. Progress of the disorder, 650, 651. Extreme unction, 651. His interview with Quixada, 651, 652. Receives the sacrament, 652. Attended by Carranza and by Villalva, 652, 653. His death, 654. The appearance of his body after death, 654. The funeral obsequies, 654, 655. The Regent Joanna claims his personal effects, 656. His obsequies also celebrated at Valladolid and elsewhere, 656. The impression produced by his death, 656. The funeral ceremonies at Brussels, 656, 657. His remains removed to the Escorial, 658, 659.

Charles VII. of France, his standing army, 44. His power, 46.

Charles VIII. of France, his expedition into Italy, 51–53. Cost of his Italian campaign, 55.

Charles, count of Anjou, 48, 51. Conquers the kingdom of Naples and Sicily, 64.

Charles the Bold, 48, 49.

Charles, duke of Orleans, claims the duchy of Milan, 66.

Charles, duke of Savoy, his relations with Francis, 335, 336. Loss of his territories, 349.

Charters of immunity granted by the king and nobles in France, 107–109.

Cheregato, nuncio of the pope to the diet of Nuremberg, 253.

Chièvres, William de Croy, lord of, appointed governor of Charles V. in his minority, 164. He appoints Adrian of Utrecht preceptor, 165. His avarice, 172. His policy, 173. His ascendency over Charles, 175. His rapacity, 176. Charles conceals his treaty with Pope Leo from, 217. Chagrin and death of, 218.
Chivalry, influence of the spirit of, 34, 35.
Cities, grants of municipal jurisdiction to, 16, 17. Inhabitants of, acquire liberty and power, 19. Become entitled to representation, 19. Growth of privileges of, 106–111.
Civil law, the, 32–34.
Clement VII., chosen pope, 249. Refuses to join the league against France, and endeavours to make peace, 251. His character and policy, 255, 256. Sends a nuncio to the diet at Nuremberg, exhorting them to execute their decree against Luther, 256. But without success, 256. Jealous of the emperor, he makes a treaty of neutrality with Francis. 261. Makes a treaty with Lannoy, advancing money to Charles, 266. Which treaty Charles refused to ratify, 266. Joins the league against Charles, 281. Absolves Francis from his oath to Charles, 281. Complains of the inactivity of Francis, 283. Is surprised by Cardinal Colonna, and forced to submit to terms from the emperor, 284. His vengeance upon Colonna, 286. Attacks Naples, 286. Makes a treaty with Lannoy, 287. Which Bourbon refuses to be bound by, 287, 288. Defence of Rome against Bourbon, 288. The taking and sack of the city, 289, 290. Retires to the castle of St. Angelo, 290. D'Urbino refuses to aid him, 290. Capitulates with humiliating conditions, 290. Is detained a prisoner, 291. Charles appeals from him to a general council, 292. Indignation throughout Europe at his capture, 293. League for his deliverance, 293, 294. Florence throws off his authority, and Venice seizes Ravenna while he is a captive, 294. Lautrec advances to his aid, 295. Agrees to pay an exorbitant ransom, 296. Makes his escape, 296. His want of good faith towards his allies, 299. Makes a treaty with the emperor, 303. His desire to suppress the Protestants in Germany, 309. Meets Charles a second time at Bologna, 314. Is averse to calling a general council, 315. Delays decision of the suit of Henry VIII. for a divorce, 317. Excommunicates him for marrying Anne Boleyn, 318. His death, 318.
Clergy, scandalous lives of the, 205. Their encroachments upon the rights of others, 206–209. Their assumption of temporal power, 206. Tenure of lands by the, 207.
Cleves, the duke of, his dominions invaded by Charles; his humiliation, 385, 386. Marries a daughter of Ferdinand, 386.
Clotaire I., instance of the small authority he had over his army, 140.
Clovis, King, asks in vain for a vase, which his army had plundered from a church, 95.
Cnipperdoling, a follower of Matthias, 320. Made consul at Munster, 320. Deposed by John, 321. Made governor of the city, 322 Taken prisoner, 323.
Coligny, the Admiral, endeavours to save St. Quentin, 553, *et seq.* His courage and conduct, 555, 556. Taken prisoner, 556.
Colleges, first establishment of, in Europe, 129.
Colonna, Prosper, general of the Papal troops against De Foix, 223. Becomes master of Genoa, 226. Defends Milan, 248.
Colonna, Cardinal Pompeo, at the instigation of Charles, surprises and captures the pope, 284. The ambassador of the emperor, having gained his ends, neglects Colonna, 285. The vengeance of Pope Clement, 286. Is gained over by the pope, 296.
Columbus, the discoveries of, 155, 156.
Commerce, influence of the progress of, 37, 39. A consequence of the Crusades, 38. Rise and progress of, in the Middle Ages, 130–134.
Communities. See *Municipal Institutions.*
Comnena, Anna, her character of the Crusaders, 105.
Compass, the invention of the mariner's, 38.
Composition for crimes, price of, 206.
Compurgators, 25.
Conchillos, employed by Ferdinand of Aragon, 158.
Condottieri, the, 62.
Confession of Augsburg, drawn up by Melancthon, 310.
Conrad, the emperor, 64.
Conrad of Franconia elected emperor of Germany, 80.
Conradin, prince of the house of Swabia, 65.
Constance, the city of, compelled to give adherence to the *Interim*, 463.
Constantinople, its magnificence under the Greek emperors, 105.
Córdova, Gonsalvo de, the Great Captain, 65. Jealousy entertained by Ferdinand towards, 162.
Cornelius, Dr., consulting physician to Charles V., 648, 649.
Corsairs. See *Algiers, Barbarossa.*
Cortes. See *Aragon, Castile, Spain.*
Cosmo, the first, 63.
Courts, baronial, right of appeal from, 28. A source of revenue, 29.
Courts, ecclesiastical, rise and growth of, 31, 32.
Cranmer, archbishop of Canterbury, annuls the marriage of Henry VIII. with Catharine of Aragon, 317.
Croy, William de. See *Chièvres* and *De Croy.*
Crusaders, sale of individual property by, 15.
Crusades, the, 12. Their effects upon Europe, 15, 16. Commerce a consequence of the, 38. Notes upon the, 103–105. Frenzy of those engaged in the, 103, 104. Privileges granted to those engaged in the, 104. Historians of the, 104. Expenses of, how defrayed, 104, 105.

D.

D'Albret, Henry, king of Navarre, taken prisoner at the battle of Pavia, 263.
D'Albret, John, expelled from Navarre, and his dominions annexed to Castile, 163. Invades Navarre to regain possession, but is defeated by Ximenes, 171. His demand for Navarre according to the treaty of Noyon is denied by Charles V., 177.
D'Alençon, duke, commander of the French army, 220.
Danes, their wealth derived from the fisheries, 133.
"Dark Ages," the, 11, 12.
Dauphin of France, eldest son of Francis I., delivered to Charles as a hostage, 274. His death imputed to poison, 345.
Dauphin, late duke of Orleans, second son of Francis I., commands an army and invades Spain, 381. Relinquishes the siege of Perpignan, 382. Secretly protests against the treaty of Crespy, 398.
Dauphin, son of Henry II., married to Mary, queen of Scots, 563.
De Croy, William, nephew of Chièvres, made archbishop of Toledo by Charles V., 176. The indignation of the Spaniards at the appointment, 176. His death, 241.
D'Enguien, count, commander of the forces of France against Piedmont, 392. Obtains permission to risk a general engagement, 392. Victory of Cerisoles, 393.
Denia, the marquis of, remains faithful to Ferdinand, 159.
Denmark, the king of, makes an alliance with Francis I., 381. Francis proposes a league against the emperor, 438. State of, 586.
De Retz, writes a history of the conspiracy of Fiesco, 436, *note*.
De Wied, Count Herman, archbishop of Cologne, becoming a Reformer, is summoned to trial by Charles, 402. Excommunicated by the pope, 411. Resigns his see, 428, 429.
Diana of Poitiers, mistress to Henry II., aids in persuading him to make an alliance with Paul IV. against the emperor, 536. Induces Henry to break the treaty of Vaucelles, 545. Marries her granddaughter to one of Montmorency's sons, 565.
Diet of Germany, account of the rise of, 148.
Doria, Andrew, the admiral, aids in the taking of Genoa, 295. Blockades the harbour of Naples, 299. His galleys defeat the Spanish under Moncada, 299. The insults offered him by the French ministers, 300. He eludes Barbesieux, 300. Renounces the French and enlists in the service of the emperor, 300. Frees Genoa from the rule of the French, 301. His magnanimity, 301, 302. Admiral of the fleet sent to reduce Tunis, 329. Forces Barbarossa to retire from the coast of Naples, 348. Advises Charles not to set sail for Algiers at the stormy season, 376. His ships shattered, and many lost, in a tempest, 377. Sails for Cape Metafuz, 378. His partiality for his grand-nephew, Giannetino, 431. A conspiracy under Fiesco to destroy him and his grand-nephew, and overthrow the government of Genoa, 431, 432. His fortunate escape, 434. Returns to the city and assumes the government, 436. Sends to the emperor for aid against Jerome Fiesco, 437. Commands the galleys to escort Philip in his tour northward, 463.
Doria, Giannetino, designed by his great-uncle, Andrew, to succeed him in the government of Genoa, 430. Slain in the insurrection under Fiesco, 434.
Duelling, influence of the challenge between Charles V. and Francis in promoting the practice, 298.
Dueñas, Rodrigo de, entertains the emperor, 599.
Du Prat, counsellor at law for Louise, mother of Francis, 247.
D'Urbino, duke, commander of the Italian forces, marches to the relief of Rome, 290. But retires, 290.

E.

Eccius, holds a debate with Luther, 200. Holds a debate with Melancthon, 371.
Ecclesiastical courts, rise and growth of, 31, 32.
Ecclesiastics, when and by what means they acquired exemption from the civil power, 126. Frequently renowned in arms, 128.
Edinburgh plundered and burnt by the earl of Hertford, 394.
Edward III. of England, attempts to establish manufactures and commerce, 39.
Edward VI. of England, Maurice asks him for aid against the emperor, 484. His illness and death, 514.
Egmont, count, commands the forces of Philip against the French in Netherlands, 563.
Egypt added to the Ottoman Empire, 178.
Ehrenberg, capture of the castle of, by Maurice of Saxony, 489, 490.
Eignotz, a faction in Geneva, 337.
Eleanora of Portugal, Charles, duke of Bourbon, desires to marry her, 272. Francis I. of France, while a captive, offers to marry her, 273. Marriage with Francis, 275. Pays a visit to her brother, the emperor, at Yuste, 637. Her meeting with her daughter, the Infanta, 638, 639. Her death, 640.
Electors of Germany, the rise of their privileges, 147.
Elizabeth, daughter of Henry II. of France, promised in marriage to Philip, 573, 574.
Elizabeth, becomes queen of England, 570. Henry of France, and Philip of Spain, court her friendship, 570. Philip offers to marry her, 570. She evades the offer, 570. Agrees to the treaty with France as to Calais, 572.
Emanuel Philibert, of Savoy. See *Savoy*.
Emperors of Germany, note upon their power, jurisdiction, and revenue, 146. Mode of election of, 147

England, its contests with France, 42. Cession of its continental possessions to France, 43. Improvement of, under the reign of Henry VII., 48, 49. Vitality of Saxon institutions in, 91. Ignorance of the clergy in the time of Alfred, 101. Extinction of private wars in, 117, 118. Establishment of courts of justice in, 125. Collection of legal rules and maxims by Glanville, 127. Progress of commerce in, 134. Manufactures in, 134. Deep feeling against the marriage of Queen Mary with Philip of Spain, 515. Insurrection occasioned by it, 516. Mary attempts to extirpate the Protestant religion, 517. Its possessions in France taken by the duke of Guise, 559, 560. Rage of the people at the loss, 561. Progress of, 579, 580.

Enguien, count of, besieges Carignan, 392. Defeats Guasto in battle, 393.

Erard de la Mark, ambassador of Charles V. to the diet at Frankfort, 182.

Erasmus, character and influence of, 212, 213. Censures Luther, 213.

Escurial, building of the palace of the, 556, 557. The remains of the royal family gathered by Philip and entombed in the, 658.

Europe, conquest of, by the Romans, 3. Civilization of, 3. Conquered and colonized by the barbarians, 5–8. Political condition of the kingdoms of, in the beginning of the fifteenth century, 41–43. Commencement of the present intimate connection between the kingdoms of, 43. Changes in the state of, following the marriage of the heiress of Burgundy, 49–51. Changes in policy and diplomacy, consequent upon the invasion of Italy by Charles VIII., 53. State of, during the reign of Charles V., 574, *et seq.*

F.

Farnese, Alexander, elected pope under the name of Paul III., 318.

Farnese, Cardinal, accompanies the troops sent by the pope to the emperor against the Protestant league, 421.

Farnese, Octavio, his marriage to the natural daughter of the emperor, 350. The pope solicits for him the duchy of Milan, 383. Commander of the pope's forces furnished to aid the emperor against the German Protestants, 421. Endeavours to surprise Parma, but unsuccessfully, 465. Makes overtures to the emperor, 465. His preparations for the defence of Parma, 475. The pope refuses him aid, 475. Obtains an alliance with Henry II. of France, 475. The pope, with the emperor's aid, sends forces against him, 475.

Farnese, Peter Lewis, governor of Placentia, his odious character, 454. Overpowered and slain by a conspiracy, 455.

Ferdinand of Aragon, 49. Re-acquires Roussillon, 51. Aids the Italians against Charles VIII., 52. A party to the league of Cambray, 56. Combines with Louis XII. against Frederic, king of Naples, 65. Obtains the kingdom of Naples by force, 65. Marriage of, with Isabella, 68. Reduces the overgrown power of the nobles, 74, 75. Annexes the masterships of the military orders to the crown, 74. Ascends the throne of Aragon, 155. Appointed regent of Castile during the minority of Charles, 157. He receives half the revenues of the Indies, and the masterships of the military orders, 157. His character and unpopularity, 158. Employs his arts to retain his power as regent, 158. Is deserted by the Castilian nobility, 159. Resolves to attempt to deprive his daughter Joanna, and her posterity, of the crown of Castile, 159. Demands in marriage Joanna, supposed daughter of Henry IV. of Castile, but is repulsed, 159. He marries a niece of Louis XII., 159. Makes a treaty with Philip, 160. Solicits an interview with Philip, 160. Is compelled to resign the regency, 160. Retires to Aragon, and protests against the treaty, 161. Absent at Naples upon the death of Philip, 162. His jealousy of Gonsalvo de Córdova, 162. His claims to the regency supported by Ximenes, 162, 163. Becomes regent, 163. His prudent government, 163. Makes additions to his territories, 163. Expels John d'Albret from Navarre, and seizes that kingdom, 163. His jealousy of his grandson, Charles, 163. His desire for offspring, in order to supplant Charles, 163. The experiments of his physicians, 164. His will in favour of Prince Ferdinand, 164. Is induced at last to alter it in favour of Charles, 164. His death, 164. He appoints Ximenes regent, 166.

Ferdinand, second son of Philip and Joanna, birth of, 157. Will in favour of by Ferdinand of Aragon, 164. The will altered, 164. Removed by Ximenes to Madrid, 167. Raises forces for the emperor, 285. Is elected King of Hungary and Bohemia, 291. Is made King of the Romans, 311, 312. Gets possession of the duchy of Wurtemberg, 324. Is driven out, 325. Comes to an agreement with the elector of Saxony, 325. Makes an agreement with John Zapol Scæpus for the succession to the throne of Hungary, 373; who afterwards marries, and breaks the treaty, 373. Demands the kingdom of the regents, 373. Raises an army against them, 373. Is defeated, 374. Proposes to Solyman to hold Hungary subject to tribute, 374. Solyman threatens to drive him from the towns he still held, 374. His concessions in favour of the Protestants, 389. Opens the died at Worms, 399. He communicates the emperor's propositions to the German princes, 400. His agreement with Charles and the sultan as to Hungary, 412. His vengeance upon the association of Protestants in Bohemia, 452. Extends his prerogative, and takes away the ancient privileges of the kingdom, 452, 453. Declines

giving up his claim to the succession of the imperial crown in favour of Philip, 473. Invited by Martinuzzi, invades Transylvania, 481. Isabella, queen of Hungary, compelled to renounce in his favour, 481, 482. He appoints Martinuzzi governor of Transylvania, 482. But, jealous of his talents and influence, he procures his assassination, 482, 483. Joins in the application for the liberation of the landgrave of Hesse, 485. Proposes negotiation to Maurice in behalf of the emperor, 488, 489. In behalf of the emperor, meets Maurice at Passau, 494. His secret satisfaction at the check to the emperor's ambition, 495. Advocates the proposals of Maurice, 496. Induces the emperor to come to terms, 496. His troops being unpaid, his generals cannot oppose the return of Isabella and her son into Transylvania, 510. Opens the diet of Augsburg by a speech in behalf of the emperor, 527. Determines to resist Charles in his endeavour to procure for Philip the succession of the empire, 528. Favours the Protestants, 529. Refuses the solicitations of Charles to give up his pretensions to the empire, 547, 548. Charles resigns the empire, and transfers the allegiance to him, as King of the Romans, 548. Presents the resignation of Charles V., and is himself chosen his successor, 561. The pope refuses to acknowledge him, 561, 562. His power and aggrandizement, 576, 577.

Ferdinand I. of Naples, 64.

Feudal system, the, 8. Its effects, 11. Notes upon the origin of the, 95–100. Distinction between freemen and vassals under the, 96.

Fiefs under the feudal system, a history of, 96, *et seq.*

Fienne, John de, negotiates a treaty with Maurice for Henry II., 484.

Fiesco, Jerome, his blunder in the insurrection of Genoa, 434, 435. Captured and put to death, 439.

Fiesco, John Lewis, count of Lavagna, his character, 431. Proposes to overthrow the government of Doria, 431. Joins with Verrina, 431. His studied dissimulation, 432. Makes known his plan to his followers, 433. He parts with his wife, 433, 434. He captures the galleys, 434. Falls overboard and is drowned, 435.

Fisheries, sources of wealth to the Danes, 133.

Fitzstephen, his observations upon London in the time of Henry II., 111.

Flanders. See *Netherlands.*

Florence, 52. A republic, 58. Constitution of, 63. Upon the capture of Pope Clement, the inhabitants throw off his authority and declare themselves independent, 294. The inhabitants oppose the restoration of the Medici, 307. Its ruler, Alexander de' Medici, slain by his kinsman, 350. Cosmo de' Medici raised to power, 351. Charles V. aids Cosmo, and prevents the establishment of the ancient republican government, 351.

Fonseca, Antonio de, appointed to besiege Segovia, 230. Destroys Medini del Campo, 231.

France, its contests with England, 42. Annexation of English continental possessions to the crown of, 43. A standing army established by Charles VII., 44. Its importance in consequence, 45. Decline of the power of the feudal aristocracy in, 45–47. Growth of the royal power in, 46–48. Expedition of Charles VIII. into Italy, 51–53. Discipline of infantry in, 54. Its political condition, power of its kings, etc., 76, 77. Power of the nobles under the reign of Hugh Capet, 77. Power of the States-General under the descendants of Hugh Capet, 77. Growth of royal power in, 78. Parliament of Paris, 79. Tenures of land in, under the feudal system, 98. Charters of communities for security of persons and property, 107–110. Progress of the spirit of liberty in, 111, 112. Prevalence of private wars in, 116, 117. Establishment of fixed courts in, 125. Collection of laws under Charles VII., 128. The power of its kings originally limited, 140. The Salic law, 140. Its second race of kings raised to the throne by election, 141. Its legislative assemblies and government under the second race of kings, 142. Change in its constitution, by merging of legislative power in the crown, and the usurpations of the nobles, 143, 144. Parliament of Paris, its origin and powers, 144–146. Its elements of strength, and military spirit, 577–579.

Francis I. of France, claims and prepares to invade Milan, 67. Makes a treaty at Noyon with Charles V., 173. Demands that Charles should restore Navarre, according to the treaty of Noyon, 177. Aspires to become emperor in place of Maximilian, deceased, 178. His mode of gaining favour with the German electors, 179. The Venetians favour his election, 180. Pope Leo X. secretly opposes his election, 180, 181. Reasons for hostility between Charles V. and, 187, 188. Policy of the pope between the rivals, 188. Endeavours to gain the favour of Henry VIII. as against Charles, 188. His intrigues with Wolsey, 190. Meeting with Henry, 191. Prospects of a war with Charles V., 216. The manœuvres of Pope Leo, 216, *et seq.* Makes a treaty with Pope Leo, 217. The pope deserts him and joins his rival, the emperor, 217. Commences a war, in the name of the children of D'Albret, for the possession of Navarre, 218. Navarre conquered, 219. Navarre re-conquered by the Spaniards, 219. By his instigation, Robert de la Mark of Bouillon declares war against Charles, 219, 220. Charles chastises De la Mark, 220. Henry VIII. undertakes to mediate, and appoints Wolsey, 220. The congress unsuccessful, 221. A new treaty against him by Charles and Henry, 221. The pope Leo X. espouses the cause of Charles, 222, 223. Promises money to aid Lautrec, governor of Milan, but fails to fulfil, 223. Consequent loss of his Swiss

troops, 224. Milan captured by the Spanish troops, 224. Fails to provide Lautrec with proper means to recapture Milan, 225. Lautrec takes the field again, 225. Rash bravery of the Swiss troops, 226. Lautrec retires into France, 226 Colonna reduces Genoa, 226. Henry declares war, 227. Henry ravages the coast of France, 227. Duke of Vendôme forces the English under Surrey to retire, 228. Adrian, upon becoming pope, desires to bring about peace, 245. The Italian states desert Francis for the emperor, 245. His preparations for war, 246. He is delayed by the plot of the duke of Bourbon, 246. His meeting with the duke, 247. His endeavours to repair the mischief occasioned by the escape of the duke, 248. Appoints Bonnivet to command the forces against Milan, 248. The attack unsuccessful, 249. His general, La Tramouille, repels the attacks of Henry VIII., 250. His generals successful in Burgundy and Guienne, 250. Disasters of the next campaign, 250, 251. Pope Clement refuses to join the league against France, and endeavours to make peace, 251. His forces defeated and driven from the Milanese, 251, 252. Views of the Italian states as to his quarrel with the emperor, 257. He drives the imperial forces under Pescara out of Provence, 258. Pushes on to re-conquer the Milanese, 259. Lays siege to Pavia, 260. Makes a treaty of neutrality with Pope Clement, 261. Battle before the walls of Pavia, 262, 263. His defeat and capture by the imperial troops under Lannoy, 263. Committed to the castle of Pizzichitone, 264. News of his capture in France, 264. Brave conduct of his mother, 264. Refuses the terms of liberation proposed by Charles, 267, 268. He is carried to Spain, 268. His hopes from the aid of Henry VIII., 268. His treatment by Charles, 271. Receives a visit from Charles, 271, 272. Negotiations for his release, 273. Signs a resignation in favour of the dauphin, 273. Signs a treaty for his liberation, 273; but secretly protests against it as executed under duress, 274. Marries the queen of Portugal, 275. The ceremony of his liberation, 275. Evades the demands of the emperor's ambassadors, to execute the treaty, 280. Returns thanks to Henry VIII., 280. Forms an alliance with the Italian states against Charles, 281. The pope absolves him from his oath to Charles, 281. Refers the formal demand of the emperor to the deputies of Burgundy, which they deny, 282. His desire for peace, 283. His inactivity in the affairs of Italy, 283. His troops under D'Urbino advance to the relief of the pope, 290. But give no aid, 290. Joins the league for checking the emperor and redressing the wrongs of Pope Clement, 293, 294. Operations of the allies, 295. Declines or evades the propositions of the emperor as to the settlement of their difficulties and the release of his sons, 297. Declares war, 297. Challenges Charles to single combat, 297. Neglects to supply his general Lautrec, in his blockade of Naples, 299. The revolt of Andrew Doria, 300, 301. Death of Lautrec, 301. Disasters of his army, 309, 301. Defeat of his army in the Milanese, 302. His mother and Margaret of Austria undertake to make peace with the emperor, 303. Hard terms of the treaty, 304. His character preventing his success in statesmanship, 304. His loss of reputation with his allies, 305. His machinations among the Protestant princes of Germany, 312, 313. His bad faith respecting the peace of Cambray, 316. Endeavours to secure the interest of the pope, 316, 317. Marries his son Henry to Catherine de' Medici, 317. Change in his plans occasioned by the death of Clement, 318. Aids the duke of Wurtemburg to recover his dominions from Ferdinand, 324. Objects to Mantua as the place of meeting for the proposed general council, 325. Makes proposals through Maraviglia to Sforza, to deliver him from vassalage to the emperor, 333. Courts the Protestants, 334. Burns heretics in Paris, 335. The Protestants refuse to assist him, 335. Attacks Savoy, 336. His intrigues in Geneva, 337. Makes new claim to the duchy of Milan, 338. Reply of Charles to his demands, 339, 340. Preparations for hostilities, 341. Revolt of his general, the marquis de Saluces, 342. He lays waste his own dominions to check invasion, 343. Cautious conduct of his general, Montmorency, 344. Retreat of the imperial army, 344. Death of the dauphin, his son, 345. His accusation and summons to the emperor, 346. Progress of the war, 347. Makes a league with Solyman, 347. Negotiations for peace, 348, 349. Invites the emperor to visit him, 349. Gives his daughter Magdalen in marriage to James V. of Scotland, 352. His action with reference to the proposed council, 353. The citizens of Ghent offer to give him possession of their city, 358. His hopes of acquiring Milan, 358. Rejects the proposal of Ghent, and informs the emperor, 359. Gives the emperor permission to pass through France, 360. Receives the emperor in Paris, 361. The emperor delays, and finally refuses, performing his promise concerning Milan, 361, 362. Meditates a renewal of hostilities against Charles, 379. Makes a closer alliance with Solyman, 379, 380. Sends agents to Venice, who are murdered by the marquis del Guasto, governor of Milan, 380. Demands redress of the emperor, 380. Is unable to secure active allies, save Denmark and Sweden, 380, 381. Dismisses his minister, Montmorency, 381. Brings five armies into the field, two of them commanded by his sons, 381. Siege of Perpignan, 382. Jealousy between his sons, 382. Barren results of the campaign, 382. Reasons for disagreement with Henry VIII., 383. League of the emperor and Henry against him, 384. His preparations for war, 384. Gains the aid of Solyman, 385. His

campaign in the Netherlands, 385. Advances to the relief of Landrecy, 386. The emperor forced to retire, 386. Aided by Solyman, besieges Nice, but unsuccessfully, 387. His personal animosity towards the emperor, 387. Charles rouses the German princes to declare war against him, 390, 391. Francis detaches Scotland from its alliance with Henry VIII. of England, 391. He abandons the aid of Solyman, 392. Sends his forces into Piedmont, 392. Gives his general permission to risk a general battle, 392. Victory of Cerisoles, 393. Defence of St. Disier under Sancerre against the emperor, 394. The town taken by stratagem, 395. He collects an army, 395. Peace proposed, 395. Concluded at Crespy, 396. The dauphin protests against the treaty, 398. Charles promises to give the daughter of Ferdinand in marriage to the duke of Orleans, 399. Death of the duke of Orleans, 402. Charles refuses to remodel the treaty of Crespy, 402. Furnishes money to Henry, duke of Brunswick, which he treacherously uses for his own advantage, 403. Makes a treaty with Henry VIII., 417. Refuses to join the league of Smalkalde against the emperor, 417. Proposes alliance against the emperor to the league of Smalkalde, 437; to Solyman, 437; to the pope and the Venetians, 437, 438; to Denmark, 438; to England, 438. Makes preparations for war, 438. His death, 439. His talents, character, and policy contrasted with those of his rival, the emperor, 439–441. His patronage of letters and art, 440, 441. His personal characteristics compared with those of the emperor Charles V., 568, 569.

Francis II. succeeds to the throne of France, 574.

Franks, the, 7.

Frederic II., the emperor, 64.

Frederic III., the emperor, 50.

Frederic of Aragon, king of Naples, 65.

Frederic Barbarossa, emperor, his treaty with the free cities of Italy, 107.

Frederic, elector of Saxony. See *Saxony*.

Fredum, 122.

Fregoso, a Genoese, agent sent by Francis to Venice, and murdered by the governor of Milan, 380.

Fronsperg, George, raises forces for Charles in Germany, 285.

Fulcherius Carnotensis, his account of Constantinople, 105.

G.

Gachard, M., his researches in the archives of Simancas, 590, 591.

Gasca, Don Pedro de la, his hospitality to the emperor, 597.

Gaul, tenures of land in, 98. The government, 140. The Salic laws, 140.

Gaztelu, secretary to Charles V., his salary, 616. Named as one of the executors of the emperor's will, 655.

Geneva, becomes independent of Savoy, 337.

Genoa, 14, 16, 67. Interest paid to bankers of, by Charles VIII., 55. A republic, 58. Taken by the allies under Lautrec, 295. The deliverance of, by Andrew Doria, 300, 301. Its free constitution, 302. The insurrection in, under Fiesco, count of Lavagna, 431–436.

Geoffrey de Villehardouin, his account of Constantinople, 105.

George, elector of Saxony. See *Saxony*.

German nobles, their contests with the see of Rome, 42.

Germans, state of society among the ancient, 93, 94.

Germany, formation of disciplined armies in, 54. Constitution of the empire of, 80–86. Conrad, count of Franconia, elected emperor of, 80. Henry of Saxony elected emperor of, 80. Decline of the authority of the emperors of, 82. Rodulph of Hapsburg elected emperor of, 82. Change in the constitution of the empire of, 82. Reform of abuses in the empire of, by Maximilian, 83. Seven princes acquire the power of electors of, 85. Tenures of land in, under the feudal system, 99, 100. Rise and progress of municipal institutions in, 110, 111. Practice of private wars in, 118, 119. Jurisprudence in, 125, 126. Inquiry into the power and revenues of its emperors, 146. Mode of election of, 147. Rise of the privileges of the electors of, 147. History of the diets of, 148. Power of the imperial chamber of, 148. Aulic council of, 149. State of, at the death of Maximilian, 177, *et seq.* Charles V. and Francis I. aspire to the imperial dignity, 178. The Swiss cantons favour Charles, 180. The Venetians favour Francis, 180. Henry VIII. offers himself as a candidate, 180. Leo X. opposes the election of Charles, 180. His advice to the German princes, 180, 181. His duplicity towards Francis, 181. The policy of the electors in the choice of an emperor, 181. They offer the crown to Frederic of Saxony, which he refuses, 181, 182. He votes for Charles V., 182. Charles elected, 183. The electors require a written pledge from Charles that he will not violate the laws and privileges of the empire, 183. Beginning of the Reformation in, 192. Weight of ecclesiastical oppression in, 206, 207, 208, 209. Property of the Church in, 208. Church property not taxable, 208. Proceedings of the diet of Worms, 213. A council of regency appointed to assist Ferdinand in any occasional absence of the emperor, 213. Luther attends the diet upon the safe-conduct of Charles, 214. The members of the diet of Worms evade the execution of its decree against Luther, 254. Progress of the Reformation in, 253, 254. The German princes draw up a list of a hundred grievances against the Church, 254. The nuncio avoids making answer to them, 256. The diet make a decree leaving Luther unmolested, 256. State of, during the absence of the emperor in Spain, 276,

et seq. Insurrection at Ulm, 276. In Thuringia, 277–279. The decline of the Teutonic order of knights in, 279, 280. The rise of Prussia, 280. Menaced by the Turks, 307. Progress of the Reformation in, 308. Disturbances occasioned by the fanaticism of Muncer, 319, *et seq.* League of the Protestants, see *Smalkalde.* League of the Catholic princes of the empire, 354. Provision made to repel the Turks, 375. The combination of the Protestant princes under Maurice against the emperor, terminated by the peace at Passau, 485–498. Peace guaranteed in, by establishing religious toleration, 530. Charles resigns the imperial crown, 548. The electors accept of the resignation of Charles V., and choose his brother Ferdinand in his stead, 561.

Ghent, the citizens protest against paying a tax to the emperor, 357. Haughty reception of its messengers by Charles, 358. The people revolt, and offer to Francis the sovereignty of the city, 358. He declines, and communicates the proposal to the emperor, 359. Rigorous treatment of the insurgents by Charles, 362.

Ghibellines and Guelfs. See *Guelfs.*

Giron, Don Pedro de, general of the junta, 236. His character and ill conduct, 237. Resigns, 237.

Glanville, Chief Justice, compiles the English Common Law, 127.

Godfrey of Bouillon, 16.

Goletta, a fort near Tunis, taken by Charles, 329, 330.

Gomez, Ruy, sent by Philip II. to his father at Yuste, 627.

Gonzaga, governor of Milan, aids in the murder of Farnese of Placentia, 454, 455. Attacks Octavio Farnese, 475.

Gonzalez MS., account of the discovery of the, 589.

Goths, irruption of the, 4, 7. Cruelties practised by the, 91.

Goths and Vandals, conquest of Spain by, 67.

Gouffier, ambassador from Francis to the emperor, 173.

Granvelle, Cardinal, his stratagem to gain possession of St. Disier, 395. Amuses the Protestants with plausible reasons for the emperor's military preparations, 406. His opinion of Maurice as a diplomatist, 486. Bribes Maurice's ministers, but is duped himself, 486, 487.

Gray, Lady Jane, executed, 516.

Greek empire, splendour of the, 105, 106.

Greeks, philosophical pursuits among the, 36.

Gregory of Tours, 12.

Gregory VII., Pope, 60. His character and policy, 81, 82. His rupture with Henry IV., 81, 82.

Gropper, a canon of Cologne, appointed by the emperor as an advocate of the Catholic faith at the diet of Ratisbon, 371. Supposed author of a treatise designed to reconcile the Protestants and Catholics, 371.

Guasto, marquis del, taken prisoner by Doria, 299. Induces Doria to make overtures to the emperor, 300. General of the land-forces to reduce Tunis, 329. Advises Charles not to invade France, 341. Succeeds De Leyva in the government of Milan, 345. Governor of Milan, causes the murder of two ambassadors of the French king, 380. Denies the charge, 380. The proof, 380. Advances to the relief of Carignan, 392. Gives battle to the French at Cerisoles, 393. Defeated, wounded, and compelled to fly, 393.

Guelfs, contest of, with the Ghibellines, 66. Origin of these factions, 82.

Guicciardini, his account of the sale of indulgences, 196, *note.* Governor of Reggio, 222.

Guise, Francis Lorraine, duke of, appointed to the command of the army for the defence of Metz, 501. His heroic conduct, 501–503. His generosity to the sick and wounded of the enemy, 504. Commander in the French army at Renti, 519. Commander of the French forces in aid of Paul IV., 550, 551. His reception in France, 559. Invests and takes Calais, 559, 560. Jealousy of Montmorency towards him, 565.

Guise, Mary of, married to James V. of Scotland, 352. Frustrates the intended marriage between her daughter and Prince Edward of England, 391.

Gunpowder, effects of the use of, in military affairs, 45.

Gurk, Cardinal de, favours the election of Charles to the imperial throne, 182.

Guzman, Don Fadrique Henriquez de, an envoy from Queen Joanna, 635.

H.

Hamburg, 38.

Hanseatic league, note upon the, 133.

Haro, Conde de, appointed to command the forces against the junta, 237. Effects a junction of forces with Velasco, 239. Defeats Padilla and takes him prisoner, 239, 240.

Hascen-Aga, governor of Algiers, his piracies, 375. Expedition planned by Charles against him, 375, 376. He determines to defend himself, 376. His troops fall on the emperor's army when overwhelmed by a great storm, 377. The retreat of the remnant of the invading force, 378.

Hayradin. See *Barbarossa.*

Helding, appointed by the emperor to prepare the *Interim,* 458.

Heldo, Vice-Chancellor to Charles V., attends the pope's nuncio to Smalkalde, 353.

Henry, duke of Brunswick. See *Brunswick.*

Henry I. of England, 27.

Henry V. of England, 43.

Henry VII. of England, attempts to follow the example of Louis XI., 48, 49.

Henry VIII. of England, 56. Endeavours of both Charles and Francis to obtain the aid of, 188. The state of England, 188, 189. His own endeavours to preserve an equilibrium, 189. The influence of Wolsey over

him, 189. Receives a visit from Charles, 190, 191. His interview with Francis I. at Guisnes, 191. His treatise against Luther, 215. Receives the title of *Defender of the Faith*, 215. Neglects to act in good faith as mediator between Charles and Francis, 216. Holds a peace congress at Calais to mediate between Charles and Francis, 220. Appoints Wolsey to negotiate, 220. Makes a new treaty with Charles against Francis, 221. Declares war against Francis, 227. Receives a visit from Charles, 227. Ravages the coast of France, 227. His army under Surrey retires without success, from Picardy, 228. His military resources, 250. The expedition into France under the duke of Suffolk, 250. His ignominious retreat, 250. Promises to aid the emperor in his attack on France, 257. Fails to fulfil his agreement, 258. His alarm at the growing power of the emperor, 265. Gives secret assurances to France, 265. Makes proposals to the emperor concerning the education of Mary, and demands the custody of Francis, 266. Makes a treaty with Louise to aid in the deliverance of Francis from captivity, 268. Desires a divorce from his queen, Catharine of Aragon, 294. Joins the league against the emperor, 294. Agrees to the marriage of his daughter Mary with the duke of Orleans, 294. Joins with Francis in declaring war, 297. Unable to fulfil his promise of a campaign in the Netherlands, 299. Consents to the peace of Cambray, 305. Solicits from the pope a divorce from Catharine, 305. Desires to marry Anne Boleyn, 305. Is baffled by the chicanery of the Roman court, 305. Aids Francis in the ransom of his sons, 306. His policy towards the Protestants, 313. Delay of his suit for a divorce, 317. Cranmer pronounces his marriage with Catharine null, 317. Marries Anne Boleyn, 317. Excommunicated by the pope, 318. His conduct in reference to the Reformation, 318. Refuses to acknowledge a council called by the pope, 325. Offers to Francis to marry Mary of Guise, 352. Renewal of negotiations with Charles, 352. Unwilling to take an active part against the emperor, 381. Reasons for his disagreement with Francis, 383, 384. His efforts against papal supremacy, 383. Takes up arms against Scotland, 384. Changes his policy towards that country, 385. Makes a league with Charles, 385. Sends troops to aid him, 386. His rage against Francis for interfering with his designs in reference to Scotland, 391. Joins the emperor, 391. His army ravages Scotland, 394. He attacks Boulogne and Montreuil, 394. His want of harmony of action with Charles, 394. Refuses to perform his agreement, 395. Offended with the emperor for making peace with Francis without his advice and concurrence, 398. He continues hostilities, 398. Makes a peace with Francis, 417. Refuses to join the league of Smalkalde against the emperor, 417. His character compared with that of the emperor Charles V., 568, 569. His policy towards the English nobility, 579.

Henry II. of France is urged by the pope to join in a league against the emperor, 455. His son, the dauphin, marries the queen of Scotland, 455. Declines the pope's request, 456. His successes as against the English, 475. Becomes an ally with Octavio Farnese against the pope and the emperor, 475, 476. He protests through a messenger against the Council of Trent, 476. Makes an alliance with Maurice of Saxony, 483, 485. Publishes a manifesto, 487, 488. Takes the field and captures several cities and towns, 489. Endeavours to gain Strasburg, but fails, 492, 493. The territory of Champagne laid waste by the governess of the Netherlands, 493. Neglected by Maurice in his treaty with the emperor, 498. The emperor endeavours to regain the towns taken from him, 500. He sends the duke of Guise to defend Metz, 501. Heroic defence of that city, 501–504. Albert of Brandenburg, after menacing both parties, joins the emperor, 502. The emperor raises the siege, 504. Is solicited to attack Naples, 505. He prevails on Solyman to send a fleet to the Mediterranean, 506. The emperor's forces take two towns by assault, 509. He marches into the Netherlands without provoking a battle, 509, 510. His forces are firmly established in Tuscany, 510. Endeavours to prevent the marriage of Mary of England with Philip, 518. Advances upon the Netherlands, 518. Invests Renti, 519. The campaign without any important result, 519. His general, Brissac, gains advantage over the imperialists under the duke of Alva, 524. A plot to deliver Metz to the emperor discovered and frustrated, 524-526. He sends plenipotentiaries to make peace, but to no purpose, 526. The pope proposes an alliance against the emperor, 535. The plan opposed by Montmorency, 535, 536. Favoured by other ministers, 536. Cardinal Lorraine concludes the treaty with the pope, 537. Agrees to a truce with Philip, 542. Is persuaded by the pope's envoy, Caraffa, to break his oath to the treaty with Philip, 544, 545. Sends the duke of Guise to aid the pope, 550. The campaign rendered of no avail by the pope's inefficiency, 550, 551. Philip's forces besiege St. Quentin, 553. The attempt of Montmorency to save the town unsuccessful, 553, 554. Paris menaced by Philip's forces, 555. St. Quentin taken by assault, 556. His active efforts for the defence of his kingdom against Philip, 556. Rewards the duke of Guise, 559. His army under the duke of Guise takes Calais, 559, 560; and drives the English from France, 561. His son, the dauphin, married to the queen of Scotland, 562, 563. His army defeated at Gravelines by the Flemish and English, 563, 564. His wish for peace with Philip, 564, 565. Is persuaded by Montmorency to make overtures

to Philip, 565, 566. Endeavours to secure the favour of Elizabeth of England, 570. Makes a treaty with her concerning Calais, 572. Promises his daughter, Elizabeth, in marriage to Philip, 573; and his sister to the duke of Savoy, 573. Agrees to a general pacification with Philip and other European powers, 573. His death, 574.
Henry IV. of Castile, tried by his nobles, 69, 70.
Henry IV., emperor, his contest with Pope Gregory VII., 81, 82.
Henry of Saxony, elected emperor of Germany, 80.
Henry, elector of Saxony. See *Saxony*.
Hermandad, Santa, account of the, 139, 140.
Hesse, the landgrave of, takes the field against Muncer, 278. Assists the duke of Wurtemberg to recover his possessions from Ferdinand of Austria. 324. Aids the league of Protestant princes in raising an army against the emperor, 418. Is placed under the ban of the empire, 419. Commander of the forces jointly with the elector of Saxony, 420. Scheme of Maurice of Saxony for obtaining the possessions of, 424–426. Consents to an agreement with the emperor, 447. Maurice of Saxony acts as mediator, 447. The articles of agreement, 447, 448. His humiliation, 449. He is detained a prisoner, 450. His impatience in captivity, 451. Feeble and ineffectual efforts to procure his release, 458, 459. His ignominious treatment by the emperor, 461. Carried a prisoner to the Netherlands, 462. New exertions for his release, 468. Charles refuses, 472. Maurice makes a new and formal demand for his liberation, 484, 485. His liberty secured by the treaty of Passau, 494–497. Being set at liberty, is recaptured by the queen of Hungary, governess of the Netherlands, 499. But is at length restored to his dominions, 500.
Hesse, William, son of the landgrave, a confederate with Maurice against the emperor, 484.
Heyradin. See *Barbarossa*.
Horuc. See *Barbarossa*.
Hugh Capet, 77.
Hungary, invasion of, by Solyman, 228, 291. Battle of Mohacz, 291. Ferdinand, archduke of Austria, made king of, 291. Progress of the Turks in, 372. Agreement of King John Zapol Scæpus with his rival, Ferdinand, concerning the succession, 373. John marries, and breaks the treaty, 373. Charles unwilling to attempt the recovery of, 375, 376. The joint regency of Isabella and Martinuzzi, 480. Isabella courts a Turkish alliance; the bishop courts Ferdinand of Austria, 481. The bishop compels Isabella to resign in favour of Ferdinand, 481, 482. Isabella and her son return to Transylvania in triumph, 510.
Huns, irruption of the, 4, 7. Devastations of the, 92.

I.

Immaculate Conception, the, 139.
Imperial Chamber of Germany instituted, 148, 149.
Indians, American, parallel between European savages and the, 94, 95.
Indulgences, the doctrine of, 193. Opposed by Luther, 194.
Infantado, duke of, his haughty bearing towards the emperor, 357.
Infantry, insignificance of, in former times, 41, 45. Effectiveness of, shown by the Swiss, 53, 54.
Innocent VIII., 75.
Inns in the Middle Ages, 130.
Interest for money, opinions concerning, in the Middle Ages, 132. Rate of, 133.
Interim, the, a system of belief designed to unite the religious world, promulgated by the emperor, 458, 459. It is attacked by both parties, 459; and especially at Rome, 459. The free cities remonstrate against it, 461.
Isabella of Castile, 49. Her marriage with Ferdinand, 68. Raised to the throne, 155. Death of, 157. Appoints her husband, Ferdinand, regent of Castile, 157.
Isabella, queen of Hungary, courts the Turks for aid against her co-regent, Martinuzzi, 481. Is compelled to renounce in favour of Ferdinand, 481, 482. Retires with her son into Silesia, 482. Returns with her son, and is supported by the nobility and the Porte against Ferdinand, 510.
Isabella of Portugal, marries Charles V., 275.
Italians, the commerce of, 132.
Italy, the first seat of commerce, 38. Inhabitants of, the first bankers, manufacturers, and curriers, 38. Expedition of Charles VIII. into, 51–53. Combination of states of, against Charles VIII., 52, 53. Political condition of, at the opening of the sixteenth century, 58–67. Marks of the ravages of the barbarians in, 92, 93. Tenures of land in, under the feudal system, 99. Note upon the cities of, 106, 107. League between the free cities of, confirmed by Frederic Barbarossa, 107. Instances of wealth in the Middle Ages, 133. The states desire peace between Francis and the emperor, 245. The states desert Francis, and join the emperor, 245. Views of the states of, with regard to the quarrel between Francis and the emperor, 257. Alarm occasioned by the battle of Pavia, 266. The states, at Charles's request, form a league for their defence, 315, 316. Tranquillity restored by the balance of power in, 559.

J.

James V. of Scotland, marries Magdalen, daughter of Francis of France, 352. Solicits from Francis, Mary of Guise in marriage, 352. Does not favour the plan

of reformation proposed by Henry VIII., 383, 384. His death, 384.
Janizaries, origin of the, 87. Note upon the, 151.
Jesuits, origin of the, 219. Establishment of the order, 363, 364. Character of the order, 364–366. Growth of power and wealth, 366, 367. The zeal of the order against Protestants, 367. Their efforts in educating youth, 368. Their labours in the Western Continent, 368, 369. Opposed by Charles, 369. Their rules become public, 370. Their purity of manners, 370.
Joanna, daughter of Ferdinand and Isabella, mother of Charles V., 155. Heiress to the crown, 156. Cruel neglect of her husband, Philip, towards, 156. Gives birth to Ferdinand, afterwards king of Hungary, 157. Her disordered mind after Philip's death, 161. On account of incapacity, superseded by Charles V., 175. Is taken possession of by Padilla, 232. Cannot be induced to resume her authority, 233. Her death, 539.
Joanna, daughter of Charles V., receives directions from Philip as to the reception of her father, 595. Wishes to make claim to the regency of Portugal, 635. But is prevented by Charles, 635. Claims her father's personal effects, 656.
John, Don, of Austria, his education under Quixada, 596. His visit to his father, Charles V., 649. The emperor commends him to the care of Philip II., 651, 652. Philip recognizes him, 656.
John II. of Aragon, 69.
John III. of Portugal, loans money to Charles, 382. Contracts a marriage between his daughter Mary and Philip of Spain, 383. His death, 634.
John Frederic, elector of Saxony. See *Saxony*.
John Zapol Scæpus, acquires part of Hungary by the aid of Solyman, 373. Makes an agreement with his rival, Ferdinand, 373. Marries and breaks his agreement, 373. Appoints Martinuzzi guardian of his son, and regent, 373. His death, 373.
Judgment of God, trial by, in the Middle Ages, 24–28.
Judicial combat, 24–28. Trial by, 119–121.
Judicium crucis, trial by, 119.
Julio, Cardinal de Medici, candidate for pope upon Leo's death, 225.
Julius II., pope, originator of the league of Cambray, 55, 56. Forms a new league against the French, 56. Character of, 205.
Julius III., his election to the pontificate, 466. Creates Innocent a cardinal, 466. His frivolous and unchristian conduct, 466. Calls a new council at Trent, 467, 471. Becomes hostile to Octavio Farnese, 475. With the emperor's co-operation, sends forces against him, 475. Sends Cardinal Morone to the diet of Augsburg, 527. His course of life, illness, and death, 528.
Justice, administration of, in the Middle Ages, 21, 22. Trial by combat, 24. Trial by compurgators, 25. Trial by fiery ordeals, 25. Administration of, intrusted to lawyers, 33. Note concerning the improvement in the administration of, 121–126.
Justinian's Pandects, 32.
Justiza of Aragon, his powers, etc., 134, 135.

K.

Knighthood conferred on eminent lawyers and scholars, 128.
Knipperdoling. See *Cnipperdoling*.
Koran, its restraints upon the sultans, 87.

L.

La Chau, sent as an associate with Ximenes in the regency of Castile by Charles, 171.
Land, tenure of, under the feudal system. See *Feudal System*. Allodial possession of, among the barbarous nations, 96. Allodial distinguished from beneficiary possession, 96. Allodial property converted into feudal, 97. Reasons for this change of tenure, 98.
Landrecy, siege of, 386.
Languages, European, state of, in the Middle Ages, 37.
Lannoy, his services in the imperial army in Italy, 260. Makes a prisoner of the French king at the battle of Pavia, 263. Makes a treaty and obtains money from the pope, 266. Uses the money to quiet his rebellious army, 267. Sent as ambassador to Francis, 282. Makes a treaty with the pope, 287. Which Bourbon disregards, 287, 288. Marches to Rome, 294. Is unable to control the army, 294, 295.
Lanuza, Don John de, appointed viceroy of Aragon on the departure of Charles V., 186.
Latin language, the, in the Middle Ages, 37.
Lautrec, Odet de Foix, Maréchal de, French governor of Milan, 222. By his haughty conduct alienates the affection of the Milanese, 222. Invests Reggio, but is repulsed, 222. Asks Francis for troops and money, 223. Is deprived of the expected money by Louise of Savoy, 223. Loss of his Swiss troops, 224. Milan captured by the Spanish under Pescara, 224. Unable to take advantage of circumstances to recapture Milan, 225. Repulsed by Guicciardini from Parma, 225. Takes the field to reconquer the Milanese, 225. Misconduct of his Swiss troops, 226. Their rash bravery and defeat, 226. Retires into France, 226. Appointed general of the allied army in Italy against the emperor, 295. Conquers Genoa and Pavia, 295. Advances towards Rome, 295. Besieges Naples, 299. The pope gives him no aid, 299. Francis neglects to supply the army, 299. The revolt of Andrew Doria, 300, 301. Disease in his army, 301. His death, 301.
Lavagna, count of, 431. See *Fiesco*.
Law, administration of the, in the Middle

Ages, 21, 22. Codification of, 33. Becomes a science, and its study a profession, 33, 128.
Law, Canon, 31, 32. Its progress, 126, 127.
Law, Roman, 32, 33.
Le Chevalier Délibéré, a poem, 614, 615.
Leo X., Pope, his policy and conduct with regard to the election of emperor in place of Maximilian, 180, 181. His policy as between Charles and Francis, after the former became emperor, 188. His real leaning to the emperor, 188. Condition of the Papal Church at the accession of, 193. Sale of indulgences by, 193. At first indifferent to the movements of Luther, 197. Summons Luther to Rome, 197. Appoints Cajetan to hear him, 197. Issues a bull in favour of indulgences, 200. Not wishing to offend Frederic, delays to excommunicate Luther, 200. Excommunicates Luther, 201. Fatal effects of his delay, 202, 203. His ambition and his endeavours to produce war between the rivals Charles and Francis, 216, *et seq.* Makes a treaty with Francis, 217. Deserts and makes overtures to the emperor, 217. Makes a treaty with the emperor, 218. A party to the attempt against the French power in Milan, 222. Declares war against Francis, 222, 223. Dies with joy at the news of the capture of Milan, 224.
Leonard, a Franciscan, plots to deliver Metz to the emperor, 524. The plot is discovered and frustrated, 525, 526. He is condemned to death, 526; but is slain by his own brethren, 526.
L'Esparre, Andrew de Foix, de, general of the French forces in the conquest of Navarre, 218.
Levesque, Dom, his account of the motives that induced Charles V. to abdicate, 538, *note*.
Lewis II. of Hungary, conquered and slain by Solyman, 291.
Leyva, Antonio de, defends Pavia from a siege by the French under Francis, 260, 261, 263. A witness of the treachery of Morone, 271. His victory over the French in the Milanese, 302. General of the emperor's forces against France, 341.
Liberty, promoted by the privileges acquired by cities and towns, 20. Rise and progress of, in France, 111, 112.
Literature, influence of, 35. Its character in the Middle Ages, 36. Contempt felt by the barbarians for, 90. Illustrations of the state of, during the Middle Ages, 101, 102.
Lombards, the, 7. Their merchants, 38. Their commerce with the Hanseatic towns, 39. The first bankers, 133.
Lorraine, Cardinal, negotiates an alliance between Henry II. and Pope Paul IV., 536. His imprudent behaviour towards the duchess of Valentinois, 565.
Louis, duke of Orleans, 66.
Louis X., 21.
Louis XI. of France, his character and policy, 46–48. Employs Swiss troops, 47. His acquisitions of territory, 48. His foreign policy, 48. His conduct towards Mary of Burgundy, 49, 50, 155. Results of his duplicity, 51. Favours Francis Sforza, usurping duke of Milan, 66.
Louis XII., a party to the league of Cambray, 56. League formed by the pope against, 56. Combines with Ferdinand against Frederic, king of Naples, 65. Makes claim to the duchy of Milan, 66.
Louise of Savoy, mother of Francis I., persuades him to break his word to his general, Lautrec, 223. Her dislike to the duke of Bourbon, 246. Her amorous passion for him, 246. Her revenge for his indifference, 247. Dissuades her son Francis from the expedition against Milan, 259. Her brave conduct upon the capture of Francis, 264, 265. She courts the friendship of England, 265. As regent of France, signs the treaty for the liberation of Francis, 275. Undertakes to make peace between the emperor and her son Francis, 303. A second time mediator, 347.
Loyola, Ignatius, cause of his devotion to the Church and establishment of the Order of Jesus, 219. Founder of the order of the Jesuits, 363, 364.
Lubec, 38.
Lunenburg, the duke of, embraces Luther's opinions, 253.
Luther, the Reformation under the lead of, 192. Aroused by the sale of indulgences, 194, 195. His youth and education, 194, 195. He preaches against Tetzel, 195. He publishes his theses, 195. Secretly encouraged by the elector, 196. Summoned to Rome, 197. Obtains the hearing in Germany, 197, 198. Goes to Augsburg under the emperor's safe-conduct, 198. Refuses to recant at Cajetan's demand, 198. Cajetan demands of the elector to send Luther a prisoner to Rome, 199. Condemned as a heretic, 199. Appeals to a general council, 199. Dispute with Eccius, 200. Finds an associate in Zuinglius, 201. He is excommunicated, 201. He defies the papal power, 201. Progress of his opinions among the people, 202. Gradual change in his own mind, 203. Circumstances that aided the progress of his doctrines, 204. Is heard with joy as he denounces the corrupt clergy, 210. Aided by the invention of printing, 211; and by the revival of learning, 211. Is censured as rash by Erasmus, 213. Attends the diet at Worms, 214. His reception, 214. The decree against him, 214. He is seized by friendly violence and secreted at Wartburg, 215. His employments in his retirement, 215. Decree against his doctrines by the University of Paris, 215. Answer to his book by Henry VIII., 215. His replies, 216. Leaves his retreat and returns to Wittemberg, 252. Translates the Bible into German, 252, 253. Noble converts to his doctrines, 253. The diet refuses to proceed to extremes against him, 254. Clement exhorts the diet to execute its decree against him, 256. Without success,

256. The conduct of, 279. His marriage, 279. His endeavours to strengthen the spirit of his party, 311. Attacks vehemently the doctrines of the Anabaptists, 322. Death of, 408. His character, services, etc., 408–410. His funeral, 410. His descendants, 410.
Luxembourg, invaded by Robert de la Mark, 219. Invaded by the duke of Orleans, 382. Again invaded by Francis, 385.

M.

Madrid, the treaty of, between Charles V. and Francis I., 273.
Magdalen, daughter of Francis, married to James V. of Scotland, 352.
Magdeburg refuses to adhere to the *Interim*, 463, 470. The emperor determines to reduce the city, 470, 471. The army for that purpose intrusted to the command of Maurice, 471. The siege of, continued, 477. The city attacked by George of Mecklenburg, 477. The besieging army comes under the command of Maurice, 477. The city surrenders to Maurice, 478; but retains its liberties, 478, 479.
Mahmed, king of Tunis, history of his sons, 327.
Maine and Provence, the count of, 65.
Majesty, title first assumed, 183.
Majorca, the insurrection in, 243.
Maldonada, Don Francis, commander of the insurgent forces of Salamanca, taken prisoner and executed, 240.
Malines, account of the council of, 358.
Malta, granted to the Knights of St. John, 228.
Mamelukes, extirpated by Selim II., 178.
Manfred, son of Frederic II., 64.
Mantua, fixed upon by the pope as the place for a general council, 353.
Manuel, Don John, ambassador of Ferdinand at the imperial court, pays his addresses to Philip upon the death of Isabella, 158. Advises Philip to resist Ferdinand, 158. Intercepts Joanna's letter confirming Ferdinand's regency, 159. His triumph, 160. Declares for Maximilian for regent of Castile, 162. The emperor's ambassador at the court of Leo, 217. Procures the election of Adrian as pope, 225.
Manumission of the peasantry, 20. Particulars embraced in charters of, granted to slaves and *villani*, 112, 113.
Marcellus II., elected pope, 532. His death, 532.
Marciano, battle of, 521, 522.
Margaret of Austria, has the care of Charles V. in his youth, 164. Undertakes to make peace between the emperor and Francis, 303. A second time a mediator, 347.
Margaret of Austria, natural daughter of Charles V., married to Octavio Farnese, 350.
Margaret, sister of Henry II., promised in marriage to the duke of Savoy, 573.
Margaret of York, has the care of Charles V. in his youth, 164.
Marignano, marquis of, commands the Florentine army, 520. Defeats the French, 521, 522. Takes Siena, 522. Reduces Porto Ercole, 523. His troops ordered into Piedmont, 523.
Mark, Robert de la. See *Robert*.
Marseilles, besieged by the Spanish under Pescara, without success, 258.
Martinuzzi, George, bishop of Waradin, appointed by King John of Hungary guardian of his son, and regent in conjunction with the queen, 373. Refuses to give up the kingdom to Ferdinand, and applies to Solyman for aid, 374. Defends Buda, 374. Fraud of the sultan, 374. Appointed regent of Hungary, jointly with Queen Isabella, 480, 481. He invites Ferdinand of Austria to lay claim to the kingdom, 481. Compels the queen to renounce in favour of Ferdinand, 481. Is appointed governor of Transylvania, 482. Ferdinand, jealous of his talents and influence, procures his assassination, 482, 483.
Mary of Burgundy, 49, 50. Conduct of Louis XI. towards, 155.
Mary, the Infanta of Portugal, contracted in marriage with Philip of Spain, 383. Her meeting with her mother, at Badajoz, 638, 639. Her death, 640.
Mary of England is pleased with the offer of marriage from Philip of Spain, 515. The negotiations, 515, 516. Feeling of the English against the marriage, 516. The nuptials, 516. She determines to extirpate the Protestant religion, 517. Martyrdoms, 517. Her death, 570.
Mary of Guise given in marriage to James V., 352.
Mary, queen dowager of Hungary, resigns the regency of the Netherlands, 541. Pays a visit to her brother, the emperor, at Yuste, 637. Makes a second visit to the emperor, 641. Takes up her abode at Valladolid, 641. Her death, 641.
Mary, Queen of Scots, married to the dauphin of France, 562, 563.
Mathys, Dr., the physician of Charles V., 641, 647, 648.
Matilda, the countess, 59.
Matthias, John, an Anabaptist prophet, 320. Governs Munster, 320, 321. Vanquishes the bishop in battle, 321. Is slain, 321. Succeeded by John Boccold, 321.
Maurice, duke of Saxony, his abilities and policy, 387. Refuses to join the league of Smalkalde, 387. Aids the emperor, 388. His jealousy of his cousin, the elector, 388. Favours the policy of the emperor, 401. Joins the emperor against the Protestant league, 418. His ambitious schemes, 424. The character of his treaty with the emperor, 424. His artful diplomacy, 424, 425. His movements to secure the possessions of the landgrave and the elector, 425, 426. Indignation at his conduct, 426. Attacked by the elector, and nearly overthrown

429. His ally, Albert of Brandenburg, intercepted and beaten, 429. Proposes negotiation to the elector, 429. Offers the emperor help to reduce Wittemberg, but is unable to do so, 444, 445. The emperor gives him possession of Wittemberg, 447. His treacherous advice to the landgrave, 447. Acts as mediator between the landgrave and the emperor, 447. Protests against the imprisonment of the landgrave, 450. Intercedes for the liberation of the landgrave, 458. Is invested with the electoral dignity, 459. His position among the German princes, 467. His opposition to the emperor's policy, 468, 469. Makes new exertions to obtain the freedom of the landgrave of Hesse, 468. His views upon points of religion in dispute, 469. Undertakes to reduce Magdeburg for non-compliance with the *Interim*, 470. Endeavours anew to liberate the elector of Saxony, 471. Charles assumes to release him from his obligation to the elector, 472. Assumes command of the army besieging Magdeburg, 477. Receives the capitulation of the city, 478. Gives the citizens secret assurances, 478. Is elected chief magistrate of the city, 478, 479. Succeeds in blinding the emperor and still keeping his troops together, 479. Feigns a zeal in behalf of the Council of Trent, 480. Engages Henry of France against the emperor, 483, 484. The profound secrecy of his movements, 484. Applies unsuccessfully to England for aid, 484. Makes a new and formal demand for the liberation of the landgrave, 484, 485. The policy of his agents at the Council of Trent, 485. Keeps his army in readiness, 486. His ministers are bribed by Granvelle, 486. His address in preventing their betraying him, 486, 487. Takes the field, 487. Publishes a manifesto, 487. Listens to overtures for negotiation, 488, 489; without any result, 489. Presses on towards Inspruck, 489. Captures the castle of Ehrenberg, 489, 490. Is delayed by a mutiny, 490. Enters Inspruck after the emperor's flight, 490. Embarrassment occasioned by the lawless conduct of his ally, Albert of Brandenburg, 493. Restores the Lutheran ministers to their churches, 494. Meets Ferdinand at Passau, 494. His demands, 494. The German princes join in asking a truce until the difficulties could be settled, 494. He offers to aid Ferdinand against the Turks, and so secures his good offices, 496. Upon the emperor's refusal of terms, he takes the field again, 496. Ferdinand brings about a peace, 496, 497. The treaty of Passau and its results, 497, 498. His neglect of his ally, Henry II., 498. Marches against the Turks in Hungary, 499. Appointed generalissimo of the confederacy against Albert of Brandenburg, 507. Defeats Albert at Sieverhausen, 507; and is himself slain, 508. His character, 508. His brother, Augustus, succeeds him as elector, 509.

Maximilian, the emperor, marries Mary of Burgundy, 50. Aids the Italian alliance against Charles VIII. of France, 52. A party to the league of Cambray, 56. Known as "the Moneyless" at Venice, 63. Institutes the Imperial Chamber, 83. Claims the regency of Castile, but loses it, 162. Regent of the Netherlands during the minority of Charles V., 164. Advises Charles to visit Spain, 174. Death of, 177.

Maximilian, son of Ferdinand of Austria, left in the government of Spain by Philip on his tour, 463.

Mecklenburg, George of, serves in the army against Magdeburg, 477. Is taken prisoner, 478. Keeps together the army of Maurice, 479, 486. Aids in taking Ehrenberg, 490.

Mecklenburg, John Albert, duke of, a confederate with Maurice against the emperor, 484.

Medecino, John James, marquis of Marignano, appointed to command the army against Siena, 520. Defeats Strozzi, 521, 522. Takes Siena, 522.

Medici, the, 63, 64. Agreement of Charles in favour of the, 218.

Medici, Alexander de', assassination of, 350.

Medici, Catharine de', is married to the duke of Orleans, 316, 317. Suspected of poisoning the dauphin of France, 345.

Medici, Cosmo de', raised to supreme power in Florence, 351. Makes a present to the emperor upon his withdrawing troops from Florence, 383. Loans the emperor money upon the security of the principality of Piombino, 504. Proposes to the emperor to drive the French out of Siena, 520. His policy in making alliances, 520. Appoints Medecino general, 520; who defeats the French under Strozzi, 521, 522, and takes Siena, 522. His scheme to add Siena to his dominions, 558. The possessions transmitted to his descendants, 585.

Medici, Lorenzo de', assassinates his kinsman, Alexander, 350.

Medina del Campo, destruction of, by Fonseca, 230, 231.

Melancthon draws up the Confession of Augsburg, 310. Invited by Francis to Paris, 334, 335. Holds a debate with Eckius, 371. Is induced to favour the *Interim*, 469.

Mendoza, Don Diego, Conde de Melito, made viceroy of Valencia in the absence of Charles V., 186. Made commander of Siena, 505. Loses the city by his ill conduct, 505.

Mennonites, 324.

Mentz, archbishop of, his crafty conduct in establishing the *Interim*, 458.

Merveille, sent from Francis to Milan, his fate, 333, 334.

Metz, defence of, under the duke of Guise, 501–504. A plot to deliver it to the emperor discovered and frustrated, 524–526.

Mézières, the siege of, 220.

Mignet, M., author of a work upon Charles V., 590.

Milan, governed by dukes, 58. Constitution

of the duchy of, 65. Governed by the Visconti, 66. Claimed by Charles, duke of Orleans, 66. The people of, establish a republic, 66. Charles agrees with Pope Leo to drive the French from, 218. Dislike of French rule by the inhabitants of, 222. Scheme of Morone for overthrowing the French power in, 222. Its inhabitants hostile to the French rule under Lautrec, 222. Captured by Pescara, 224. Unsuccessful attempt of Lautrec to retake it, 225, 226. Bonnivet appointed to command the troops against, 248. Defended successfully by Colonna and Morone, 248. Conquest of, by the emperor's forces, 251, 252. Francis attempts to recover, 259. League to reinstate Sforza in the duchy, 281. The castle of, besieged and taken by the imperialists under the duke of Bourbon, 283. Expedients of the duke of Bourbon to raise money in, 285. The emperor evades, and refuses fulfilling, his promise to bestow on Francis the investiture of the duchy, 361, 362.

Modena, 67.

Mohacz, in Hungary, victory of Solyman at, 291.

Monastic orders, the principles of the, 364.

Moncada, Don Hugo de, the emperor's ambassador, through whose instigation Colonna humbles the pope, 284. Successor of Lannoy as viceroy, is defeated and slain in a naval battle with Philippino, 299.

Monluc, messenger to Francis, soliciting leave to give battle to the emperor's troops, 392.

Monte, Cardinal di, elected pope as Julius III., 466.

Monte-Alcino, settled by the citizens of Siena, 523.

Montecuculi, Count de, charged with poisoning the dauphin of France, 345.

Montfort, defends Nice against the Turks and the French, 387.

Montmorency, the Constable, advises Francis not to comply with the offer of Ghent, 359. Minister of Francis, dismissed, 381. His jealousy of the duke of Guise, 565. Persuades Henry to make peace with Philip, 565, 566. He is appointed to make overtures, 566. His agency in the treaty, 571.

Moors, invasion of Spain by the, 67. Contests with the Christians, 67, 68.

Morone, Jerome, vice-chancellor of Milan, 222. His vigilance against Lautrec, 225, 226. Aids in the defence of Milan, 248. Procures money for the imperial army at Milan, 251. His dissatisfaction with the emperor, 268, 269. His attempts to engage Pescara in the conspiracy, 269, 270. His discovery and arrest, 271. Liberated by Bourbon, and becomes his confidant, 285. Recovers his credit with the imperialists, 296.

Morone, Cardinal, sent by the pope to the diet of Augsburg, 527.

Muhlberg, battle of, 443.

Muley-Hascen, king of Tunis, 327. Overthrown by Barbarossa, 328. Makes a treaty with Charles for aid to restore himself to the throne, 329. The expedition, 329. Its success, 330. His treaty with Charles, 331.

Muncer [Munzer], Thomas, the revolt under, 278. Put to death, 279. His doctrines, 319.

Municipal institutions, growth of, 16. In Italy, 106, 107. In France, 107–109. In Germany, 110, 111. In Spain, 111, 138. In England, 111.

Munster, seized and governed by the Anabaptists under Matthias, 320; afterwards by John of Leyden, 321. Retaken by an army under the bishop, 323.

Munzer. See *Muncer*.

Mustapha, the favourite son of Solyman, 511. Ruined and slain by the machinations of Roxalana, Solyman's mistress, 511–514.

N.

Naples, death by fright of the king of, 52. The constitution of, 64. And Sicily, the kingdom conquered by Charles d'Anjou, 64. Frederic resigns the crown of, 65. Louis XII. and Ferdinand disagree as to the division of, 65. Kingdom of, secured by Ferdinand of Aragon, 65. The imperial army besieged in, 299. Blockaded by Lautrec, 299. Oppressed by the viceroy, becomes disaffected towards the emperor, 505. Menaced by Solyman's fleet, 506.

Nassau, commander of the Spanish forces against De la Mark, 220.

Navarre, annexed to the crown of Castile, 163. Invaded by its former monarch, John d'Albret, 171. The attempt to recover it frustrated by Ximenes, 171. Charles refuses to give up the kingdom of, according to the treaty of Noyon, 177. Francis commences a war for the claim of the family of D'Albret to the kingdom of, 218. Conquered by L'Esparre, 219. Reconquered by the Spaniards, 219. The unquiet conscience of Charles concerning the possession of, 631, 632. Negotiations with Vendôme concerning, 632.

Netherlands, Maximilian regent of the, during the minority of Charles V., 164. Resigned by Charles V. to his son Philip, 537. Mary, governess of the, resigns her regency upon the accession of Philip, 541. The revolt against Philip in the, 585.

Nobles, oppression of the people in the Middle Ages by the, 16, 17. *Lex talionis* among the, 22–24. Power of, curtailed by allowing appeals from their courts, 28. Revenue derived from their courts by, 29. Influence of chivalry upon the, 34, 35. Ignorance among the, during the Middle Ages, 101, 102. See *Barons*.

Normans, few traces of the customs of, in England, 91.

Noyon, the treaty of, between Charles V. and Francis, 173. Charles breaks the treaty of, by refusing to restore Navarre, 177.

O.

Oblati, 101, 113.
Oran, defeat of the Spanish forces near, 650.
Orleans, duke of, delivered to Charles V. as hostage, 275. Is married to Catharine de' Medici, 317. Becomes dauphin by the death of his brother, 345. Commander of a French army in Luxembourg, 381. Charles promises Ferdinand's daughter in marriage to, 399. Death of, 402.
Ottoman Empire, 86–89. See *Turkish Empire.*

P.

Pacheco, Donna Maria, wife of Padilla, her expedient to provide money for her husband's army, 238. Her defence of Toledo, 241, 242. Her defeat and flight, 242.
Padilla, Don John, leader of the revolution in Castile, 229. Aids Segovia, 230. Takes possession of Queen Joanna, 232. Endeavours, without success, to induce her to resume her authority, 233. Seizes the seals and archives, 233. Superseded as general by Don Pedro de Giron, 236. Re-appointed, 237. His wife strips the cathedral of Toledo to obtain money for the insurgent army, 238. He takes Torrelobaton, 239. Defeated and taken prisoner at Villalar, 239, 240. Executed, 240. His letter to his wife before his execution, 240, *note.* Letter to Toledo, 240, *note.*
Palatinate, the reformed faith established by the elector Frederic, 403, 404.
Pampeluna, reduction of, 219.
Papal power in Rome, 58, 59. The government transferred to Avignon, 60. Its character and power, 60–62. See *Rome.*
Paper, invention of, 102.
Papyrus, the use of, 102.
Paraguay, establishment and labours of the Jesuits in, 368, 369.
Parchment, the use of, 102.
Paris, the parliament of, 79, 80. Origin of, 144. Royal edicts registered by, 145. Its decree against Charles V., 346.
Parliaments, or legislative assemblies, how formed, 19.
Parma, 67. Charles agrees that the Church should regain possession of, 218. United to the papal state, 224.
Passau, peace conference at, 494, 497.
Paul, Father, author of a history of the Council of Trent, 492.
Paul III., his accession to the papacy, 318. His policy with regard to a general council, 325. Summons a general council at Mantua, 353. Prorogues the council, and then summons it to meet at Vicenza, 353. Appoints a commission to inquire into the abuses and corruptions of the Roman court, 354. Sanctions the establishment of the order of the Jesuits, 364. Takes umbrage at the proceedings of the diet of Ratisbon in debating points of doctrine, 372. Confers with Charles concerning the religious difficulties in Germany, 375. Remains neutral between Charles and Francis, 381. Solicits the emperor to grant Milan to his grandson, 383. Calls a general council at Trent, 388. Nolegates assemble, and the pope prorogues it, 389. Remonstrates with the emperor as to his course with the Protestants, 397. Grants Parma and Placentia to his son, Peter Lewis, 403. Excommunicates the archbishop of Cologne for heresy, 411. Presses the emperor to use extreme severity towards the Protestants, 412. Makes a league with the emperor against the German Protestants, 414. Publishes the terms of the treaty, 415. Recalls his troops from the service of the emperor in Germany, 429. His jealousy of the emperor's growing power, 430. Is supposed to be aware of the conspiracy in Genoa, 436. Francis proposes to him a new league against the emperor, 437. Succeeds in procuring the adjournment of the general council from Trent to Bologna, 454. His jealousy of the emperor, 454. He demands the restoration of Placentia, which had been seized by the emperor after the overthrow of Peter Lewis Farnese, 455. Endeavours in vain to enlist Henry of France and the Venetians against the emperor, 455. Refuses the demand of the emperor for the return of the Council of Trent, 457. Charles protests against the legality of the session of the council at Bologna, 457. His views of the *Interim* and of the emperor's policy, 460. Dismisses the general council of Bologna, 462. Determines to re-annex Parma and Placentia to the Holy See, 464. His death, 465. Note respecting the cause of his death, 465.
Paul IV., his election, 533. His favour to his nephews, 534. His antipathy to the emperor, 534, 535. Proposes to Henry of France an alliance, 535. His rage at the toleration allowed in Germany, 536. Threatens the emperor, 536, 537. Signs the treaty with Henry, 537. His astonishment at the truce between Henry and Philip, 543. His dread of Philip's vengeance, 543. His ambassador, Caraffa, endeavours secretly to detach Henry from the agreement, 544, 545. His hostile demonstrations towards Philip, 545. A truce, 546. Renewed hostilities, 546. His reckless conduct, 550. Receives aid from the French, 550. His insufficient preparations, 550. Makes peace with Philip, 557. His haughty conduct, 557. His haughty claims as to the confirmation of the emperor of Germany, 561, 562. Agrees to the general pacification between England, France, Spain, etc., 573. His death, 574. Punishment of his infamous nephews, 574. The victorious progress of the duke of Alva induces him to make a treaty with Philip, 632, 633.
Paulin, ambassador of Francis to the Porte, 384.
Pavia, Francis lays siege to, 260. The city defended by Leyva, 260. The imperial forces march to its relief, 262. Defeat and

capture of Francis in the battle before its walls, 263. Taken by the allies under Lautrec, 295.
Peasantry, enfranchisement of the, 20.
Peloponnesus, conquest of, by the Crusaders, 16.
Pembroke, earl of, joins the Spanish forces in the Netherlands, 552.
Perpignan, siege of, 382.
Pescara, marquis of, takes Milan from the French, 224. General of the emperor's forces in Italy, 251. His respect to the body of Chevalier Bayard, 252. Invades Provence, lays siege to Marseilles, but is forced to retire, 258. Reaches Milan in time to check the French invasion, 259. His genius and intrepidity, 260. His dissatisfaction with Lannoy and with the emperor, 269. He is approached by Morone, 269, 270. Enters into the plot, 270. Betrays Morone, 270, 271. His death, 272.
Peter the Hermit, 13, 16.
Peter of Aragon, 65.
Pflug appointed to represent the Catholic cause in a debate, 371. Appointed by the emperor to prepare the *Interim*, 458.
Philibert. See *Savoy*.
Philip, archduke of Austria, father of Charles V., his character and his treatment of Joanna, 156, 157. Makes a treaty with Louis XII. of France, 157. His feelings and conduct upon his exclusion from the regency of Castile, 158. Progress of his emissaries in Castile, 159. Proposes a treaty with Ferdinand, 160. The treaty, 160. His duplicity, 160. He sails for Spain, 160. Is detained for three months in England by Henry VII., 160. Is joined by the Castilian nobility, 160. Obtains the regency, 160. Attempts unsuccessfully to obtain undivided power, 161. His death, 161. Note concerning his agency in procuring the appointment of a tutor for his son, Charles V., 164.
Philip, son of Charles V., contracted in marriage with Mary of Portugal, 383. Recognized as heir to the crowns of Valencia and Aragon, 383. Makes a visit to the Netherlands, through Italy and Germany, 463. His right of succession acknowledged, 463. His character and manners, 463. The reason for his visit to the Netherlands, 472, 473. Schemes of his father, Charles, to procure for him the succession, 472, 473. His haughty manners, 473, 474. Proposes to marry Mary of England, 515. The negotiations, 515, 516. Disliked by the English, 515, 516. Insurrection in England on account of the approaching marriage, 516. The nuptials, 516. He is supported by his father's troops in Flanders, 517. Parliament refuses to crown him king, 518. His father, the emperor, determines to resign to him his hereditary dominions, 537. He is sent for from England, 539. The ceremony of the resignation, 539–541. He addresses the assembly, 541. Agrees to grant his father a pension, 541. Consents to a treaty with France, 542. The pope persuades Henry to break the truce, 544, 545. The pope assumes to try him, 545. Hesitates to attack the pope on account of religious scruples, 545, 546. His army under the duke of Alva menaces Rome, 546. Alva makes a truce, 546. The pope, receiving the assistance of France, determines to renew hostilities, 546. His negligence in paying his father's pension, 548. Raises an army to attack the French in the Low Countries, 551. Persuades Mary to engage the English in his cause against France, 552. Appoints Emanuel Philibert as his general, 552; who besieges St. Quentin, 553. Philip visits the camp, 555. Resists the advice of the duke of Savoy to march on Paris, 555. His forces take St. Quentin, 556. Builds the Escurial, 556, 557. Makes peace with the pope, 557. His superstitious fear, 557. He restores Placentia to Octavio Farnese, 558. Is induced to grant Siena to Cosmo de' Medici, 558, 559. Warns his queen, Mary of England, of the danger of Calais, 560. The town taken by the French, 560. His army under Count Egmont routs the French at Gravelines, 563, 564. His wish for peace with France, 564, 565. Receives overtures from Henry, 566. Death of his queen, Mary of England, 570. Offers marriage to Elizabeth, her successor, 570. She refuses him, 571. Becomes lukewarm towards Elizabeth, 572. Agrees to the treaty with Henry, 573. Engages to espouse Elizabeth, Henry's daughter, 573. The magnitude of the territories left him by his father, 575, 576. Establishes fully the royal power in Aragon, 576. His endeavours to have his father properly received upon his arrival in Spain, 595. The state of his affairs when his father, Charles, took up his abode at Yuste, 626. The French army attacks Naples, 626. Solyman threatens the Mediterranean coast, 626. Sends Ruy Gomez to ask advice of Charles, 627. Charles promises to assist Philip in raising funds, 627. The bullion removed from the royal exchequer by collusion, 628. Charles sends him congratulations on the victory of St. Quentin, 629. His inattention to writing to his father, 631. His general, the duke of Alva, makes victorious progress towards Rome, 632. He makes a treaty with the pope, 633. His unwillingness that the emperor's autobiography should appear in public, 636, 637. Recognizes Don John as the emperor's son, 652, 656. Celebrates his father's obsequies at Brussels, 656, 657. Visits Yuste, 657. Gathers the remains of his kindred at the Escorial, 658.
Philip the Long, 21.
Philippino, nephew of Doria, defeats Moncada in a naval battle before Naples, 299.
Piadena, marquis de, invades Transylvania, 481. Assassinates Martinuzzi, 483. Abandons Transylvania, 510.
Picardy, invaded by Henry VIII., 227. By the duke of Suffolk, 250. By the imperialists, 345.

Pichot, Amédée, author of *Chronique de Charles-Quint*, 589.
Pilgrimages to the Holy Land, 12.
Pirates in the Middle Ages, 37.
Pisa, 14, 16, 52.
Placentia, Council of, 13. Charles agrees that the Church should regain possession of, 218. Its governor, Peter Lewis Farnese, surprised and slain, 455. Seized and retained by the emperor's orders, 455.
Pole, Cardinal, madé legate to England, 517. His endeavours to make peace between the emperor and the French king, 526. Recalled from England, 550.
Pope, note on the humiliation of the emperor before the, 146.
Popes, reverence paid to the, 61. Increase of the power and pretensions of the, 81. Usurp the right of conferring benefices, 209. The authority of the, 581. Attacked by Luther, 581. Their policy, 582. Their loss of importance, 582. Restraint upon them by the progress of the Reformation, 583, 584.
Printing, invention of, 102.
Priscus, his account of the Roman embassy to Attila, 90.
Procopius, his account of the devastations by the Northern nations, 91–93.
Protestants, origin of the name, 309. Decree against them, 311. They oppose the election of Ferdinand as king of the Romans, 312. Court the protection of England and France, 312. The princes make an agreement with the emperor, 313, 314. Controversy between them and the pope, as to a general council, 315. Concessions by Ferdinand of Austria to, 324. They demand that the general council shall meet in Germany, 325. Renew the league of Smalkalde, 325. Courted by Francis, 334; but without success, 335. Policy of the emperor towards the, 352, 353, 355. They refuse to recognize the pope's call for a council at Mantua, 353. Their apprehensions from Charles unfounded, 354. They desire the emperor to appoint a conference of divines, 370. A debate takes place in his presence, 371, 372. The decree of the emperor, 372. They are dissatisfied, 372. Concessions made by Charles, 375. They object to Trent as a place for the general council, 388. Concessions of the emperor and of Ferdinand, 389, 390, 391. They demand a reform of the imperial chamber, 389. Charles designs to humble the party of, 399. They refuse to acknowledge the authority of the Council of Trent, 401. Their apprehensions concerning the intentions of the emperor at the time of the Council of Trent, 405. Divisions among them, 405, 406. Effect of the death of Luther, 410. Dissimulation of the emperor, 410. Decision of the Council of Trent upon the doctrines of, 410, 411. Conduct of Charles at the diet of Ratisbon towards the, 412–414. Charles makes a league with the pope against, 414. The pope publishes the terms of the treaty, 415. The *Interim*, a system of religious belief, imposed upon the empire, 458. They inveigh against it, 459, 461. Their free cities compelled to submit to the emperor, 461, 462. Aided in their course by Maurice of Saxony, 467–469. Severity of the emperor towards the, 476, 477. The divines summoned to the Council of Trent demand a safe-conduct from the council, 480. The divines do not gain audience before the prorogation of the council, 491. Influence of the treaty of Passau upon their prospects, 497, 498. Their apprehensions arising from the address of Ferdinand at the diet of Augsburg, 527. Their security guaranteed in a recess of the diet, 529, 530. Persecution by the, 531. The emperor's alarm at the spread of their doctrines, and his efforts to resist it, 642, 643.
Provence, conveyed to Louis XI., 48. The imperial forces driven out of, by Francis, 258.
Prussia, wrested from the Teutonic knights, and becomes in process of time an independent kingdom, 279, 280

Q.

Quixada, Don Luis Mendez, major-domo of the emperor, 595. His care of the emperor's son Don John of Austria, 595, 596. His character, 596. His preparations to receive the emperor, 596. His care of him during his fit of the gout, 607. His salary as major-domo, 616. Becomes permanently settled with his family at Yuste, 623. The emperor's provision for him, 649. The emperor enjoins upon him to give the care of Don John of Austria to Philip, 651, 652. Attends the last hours of the emperor, 652–654. Is made one of the executors of the emperor's will, 655. Leaves Yuste, 656.

R.

Ratisbon, proceedings at the diet of, concerning the Protestants, 412–414. Attacked by the Protestant army, 421. Relieved by the emperor, 421.
Reformation, the rise of the, 192, 193. Circumstances that favoured its early growth, 202, 203, 204. Aided by the invention of printing and by the revival of learning, 211. Influence of Erasmus, 212. Its progress after Luther's translation of the Bible, 252–256. The character of, injured by the fanaticism of Muncer, 278. Promoted by the strife between the pope and the emperor, 292. Progress of, in Germany, 308. Protestants, 309. In England, conduct of Henry VIII., 317, 318. Progress of the, 352. In Germany, indebted to Maurice, 498. A view of its progress, and its influence upon the politics of Europe and the power and character of the popes, 580–584. See *Protestants*.

Reggio invested by the French, 222.
Regla, Juan de, confessor to Charles V. at Yuste, 617, 618. Administers extreme unction to the emperor, 651. Named as one of the executors of the emperor's will, 655.
Religion, ideas of, in the Middle Ages, 102.
Rhodes besieged and taken by Solyman, 228.
Richelieu, Cardinal, his remarks on De Retz's history of Fiesco's conspiracy, 436, *note*.
Rienzo, Nicholas, elected tribune, 60.
Rincon, ambassador of Francis to the sultan, 379, 380. Murdered by the marquis del Guasto, 380.
Robbers in the Middle Ages, 38, 131.
Robert de la Mark of Bouillon declares war against Charles, 219, 220.
Rodulph of Hapsburg elected emperor, 82.
Roman law, its spread over Europe, 127. See *Law*.
Roman power, overthrown by the barbarians, 4–8.
Romans, desolation of Europe by the, 3.
Rome, contests between the German nobles and the see of, 42. The papal power in, 58. Power of the nobles and the senate in the sixteenth century, 59. The barons of, humbled or extirpated by Alexander VI., 60. Consequences of its claim to infallibility, 103. Venality and corruption of the court of, 205, *et seq*. Influence of the manners of the court of, upon the Reformation, 205. Scandalous lives of the ecclesiastics of the Church of, 205, *et seq*. Assaulted, taken, and plundered by the army of the duke of Bourbon, 289, 290.
Ronquillo, leader of the royal forces, driven from Segovia, 230.
Roussillon, sold to Louis XI., 48. Restored to Ferdinand, 51.
Rovere, restored to his duchy of Urbino, 245.
Roxalana, mistress of Solyman, her scheme in favour of her children, 511. She is made free, and is lawfully wedded to Solyman, 511. Awakens his jealousy of his son Mustapha, 512. He orders Mustapha to be strangled, 513, 514.
Royal power, the, affected by feudal institutions, 10.
Royal revenues, 41.
Russia, the state of, 586.
Rustan, vizier of Solyman, accomplice with Roxalana in her scheme against Mustapha, 511–514.

S.

Saint Blas, the emperor's observance of the festival of, 621, 622.
Saint Disier, is besieged by the emperor's forces, 394. Gained by a stratagem of Granvelle, 395.
Saint Jago of Spain, order of, 74, 138, 139.
Saint John, the island of Rhodes, belonging to the knights of, taken by Solyman, 228. They are granted the island of Malta by Charles V., 228.
Saint Justus. See *Yuste*.
Saint Louis as a legislator, 27.
Saint Matthias, the emperor's observance of the festival of, 621.
Saint Quentin besieged and taken by the duke of Savoy, 553–556. Charles V. rejoices over the victory, 628, 629.
Saladin, 14.
Salamanca, treaty of, 160.
Salerno, the prince of, suggests to Henry the design of attacking Naples, 506.
Salic laws, the, 140.
Saluces, marquis de, general of the allies, after the death of Lautrec, 301. His treachery to Francis, 342.
Sancerre, count de, defends St. Disier, 394. Is deceived into a surrender of the town, 395.
Sardinia, formerly known as the duchy of Savoy, 585.
Sauvage, made chancellor of Castile by Charles V., 176.
Savoy, the duke of, unsuccessful attempt of Francis to take Nice, the place of his retreat, 387. Emanuel Philibert, prince of, general of the imperial forces in the Netherlands, 518. Emanuel Philibert, duke of, appointed by Philip to command his forces, 552. Besieges St. Quentin, 553. Defeats Dandelot in his attempt to succour the town, 553. Defeats the constable Montmorency, and takes him prisoner, 554. Receives a visit from Philip in his camp, 555. He advises an immediate attack on Paris, 555. Takes St. Quentin by assault, 556. Marries the sister of Henry II. of France, 573. The possessions of the dukes of, increased, and now known as the kingdom of Sardinia, 585.
Saxons, the, 7. Vitality of their institutions, in spite of the Norman conquest, 91.
Saxony, Frederic, elector of, is offered the imperial crown, which he declines in favour of Charles V., 181. His peremptory refusal of money from Charles, 182. Appoints Luther professor at Wittemberg, 195. Refuses to give up Luther to be sent to Rome, 199. His stratagem to preserve Luther, 215. Takes the field against Muncer, 278. His death, 279.
Saxony, John, elector of, his adherence to the reformed faith, 310. His death, 314. Succeeded by John Frederic, 314.
Saxony, John Frederic, elector of, comes to an agreement with Ferdinand of Austria, 324.
Saxony, George, elector of, his death, 355. Succeeded by his brother, Henry, 355.
Saxony, Henry, elector of, establishes the Protestant religion, 355. Aids the league of Protestant princes in raising an army, 418. Is placed under the ban of the empire, 419. Joint commander of the forces of the league with the landgrave, 420. Scheme of Maurice for obtaining the possessions of, 424–426. Returns home for the defence of his dominions, 426. Strips Maurice of his possessions, save two cities, 429. Defeats Albert of Brandenburg, sent to aid him, 429. Listens to propositions for peace, 429.

Charles marches against him, 441. His irresolution, 441, 442. Charles crosses the Elbe and gives him battle, 442, 443. He attempts to retreat, 443. Vanquished and taken prisoner, 443, 444. His wife, Sybilla, defends Wittemberg, 444. He is tried by a court-martial, 445. Condemned to death, 445. To save his life, makes an agreement with the emperor, 446. Remains a prisoner, 446. His fortitude, 451. Beholds from prison his rival, Maurice, invested with the electoral dignity, 459. Refuses to give his adhesion to the *Interim*, 460. Carried a prisoner to the Netherlands, 462. Set at liberty by the emperor before his flight from Inspruck, 491. He follows the emperor rather than meet Maurice, 491. Regains his liberty, 500. Lays claim ineffectually to the electoral dignity upon the death of Maurice, 508, 509. His death, 509.

Saxony, Augustus, brother of Maurice, becomes elector, 509.

Schertel, Sebastian, commander of the forces of Augsburg against the emperor, his rapid movements, and his recall, 420. Expelled from Augsburg, 428.

Science, influence of the progress of, 35. Note upon the progress of, in Europe, 129, 130.

Scotland, the clergy oppose King Henry VIII.'s scheme for reformation, 383, 384. That monarch takes up arms, 384; but changes his plans, and negotiates, 384. Marriage of its queen, Mary, with the dauphin of France, 562, 563.

Segovia, resistance of the people to Adrian's authority, 230.

Selim II. exterminates the Mamelukes, and adds Egypt and Syria to his empire, 178.

Sepulveda, the historian, the attention paid him by the emperor, 630.

Sforza, Francis, becomes duke of Milan, 66. Is favoured by Louis XI., 66. Charles agrees to give the Milanese to, 218. Plot of Morone to secure the dukedom of Milan for, 268–270. Makes known the plot to the emperor, 270. Loses his dukedom, 271. League to reinstate him in the Milanese, 281. Is obliged to surrender the castle of Milan to the duke of Bourbon, 283. Is unable to induce the allies to take Milan for his benefit, 295. Negotiations between Charles and the allies concerning, 297. Receives pardon from the emperor, the investiture of Milan, and marries the emperor's niece, 307. Francis I. makes proposals to him to take ground against the emperor, 333. His timidity and treachery, 334. His death, 338.

Sforza, Ludovico, 51. Becomes duke of Milan, 66. Is conquered and taken captive by Louis XII., 67.

Sforza, Maximilian, becomes duke of Milan, 67.

Shipwrecked persons, treatment of, in the Middle Ages, 131.

Sicily, under the sway of Naples, 64.

Siena, the people resist the attempt of Mendoza to enslave them, 505. Taken by Cosmo de' Medici, 520–523. The investiture of the city granted by the emperor to his son, Philip, 523.

Sieverhausen, battle of, 507, 508.

Sigismund of Poland, grants part of Prussia to Albert of Brandenburg, 280.

Silk, its rarity in early times; its introduction into Europe, 132.

Sion, Cardinal of, his influence with his Swiss countrymen against the French, 223, 224.

Slavery, overthrow of, 21.

Slaves, condition of, under the feudal system, 100. Voluntary, 101. Manumission of, 112–114. Voluntary, or *oblati*, 113.

Smalkalde, league of Protestants at, 311. Henry VIII. aids the confederates with money, 313. The league of, renewed, 325. The league refuse to acknowledge the call for a council at Mantua, 353. Admits the king of Denmark, 354. The league attacks and drives out Henry, duke of Brunswick, for his proceedings against Goslar, 389. Demands a reform of the imperial chamber, 389. Members of the league repel the duke of Brunswick's attempt to recover his dominions, 403. Their apprehensions as to the intentions of Charles, 405. Their divisions, 405, 406. Answer of the emperor to the questions concerning his warlike preparations, 414. Charles makes a treaty with the pope against them, 414. The pope publishes the terms of the treaty, 415. Active preparations of the confederates to resist the emperor, 416. They send embassies to the Swiss and the Venetians, 416, 417. They solicit the aid of England and France, 417. They raise an army, 417, 418. They publish an appeal to the emperor, 418, 419. In answer, he places them under the ban of the empire, 419. Difficulties resulting from divided command, 420, 421. Blunders of the generals, 420, 422. The army advances upon Ratisbon, 421. Gives up the siege, 421. Moves towards Ingoldstadt, 421. Endeavours to draw the emperor into battle, though unsuccessfully, 422. The leaders allow a Flemish reinforcement to join Charles, 423. Maurice of Saxony joins the emperor against the league, 424. By his attack on Saxony and Hesse, Maurice causes a dissolution of the army of the league, 426, 427. Dissolution of the league, 427, 428. Francis proposes an alliance against the emperor, to the league of, 437. The vengeance of the emperor upon the members of the league, 451.

Society, notes upon the state of, in the Middle Ages, 130–132.

Solyman the Magnificent, his character and government, 88. Condition of Turkey under the reign of, 151. Ascends the Ottoman throne, 192. Reduces Belgrade, 228. Captures Rhodes, 228. Invades Hungary, 291. His victory at Mohacz, 291. His prisoners, 291. Siege of Vienna by, 307. Invades Hungary, 314. Repulsed without a battle, 314. Takes Barbarossa

under his protection, 327. Appoints him admiral of his fleet, 327. Approves of his plan to conquer Tunis, 327. The expedition successful, 328. Aids the regents of Hungary in defeating Ferdinand, and then seizes the kingdom, 374. Threatens to drive Ferdinand from the towns he still held, 374. His jealousy at the conduct of Francis removed, 379, 380. Makes a closer alliance with him, 380. Agrees to send a fleet under Barbarossa to aid Francis against the emperor, 385. Invades and subdues Hungary, 386. His fleet ravages the coast of Calabria, 386. Aids Francis in the siege of Nice, 387. Charles negotiates a treaty with, 412. Francis proposes to him a new league against the emperor, 437. Is solicited by Queen Isabella of Hungary to aid her against her co-regent, Martinuzzi, 481. Brings an army against Ferdinand, 496. Maurice marches against his forces in Hungary, 499. Sends a fleet to the Mediterranean, 506. Favours the return of Queen Isabella into Hungary, 510. The scheme of his mistress Roxalana against his son Mustapha, 511. She is made free and lawfully married to him, 511. She awakens his jealousy of his son, 512, 513. Mustapha is bow-stringed, 514.

Spain, contests between the kingdoms of, 42. Its prosperity and power consequent upon the marriage of Ferdinand and Isabella and the expulsion of the Moors, 49. Formation of the infantry of, 54. Under the rule of the Goths and Vandals, 67. Its political condition under the Moors, 67, 68. Its union by the marriage of Ferdinand and Isabella, 68. Its ancient institutions survive the Moorish conquest, 68. Limited power of the kings, and the independence of the nobles, 69. The minor kingdoms of, before the consolidation, 72. Rapid growth of the cities of, 73. Its nobility humbled by Ferdinand, 74, 75. Practice of private wars in, 118. Trial by combat concerning the liturgy, 120. Revenues and possessions of the nobility of, 137, 138. Municipal institutions in, 138. Commerce and manufactures of, 138. Military order of St. Jago of, 138, 139. State of society in, 139. The holy brotherhood, 139, 140. Joanna, heiress presumptive to the crown of, 156. Its condition upon the death of Ferdinand, 166. Charles, king of, aspires to be emperor on the death of Maximilian, 178. He is elected, 183. Reflections of the Spaniards upon the result, 183, 184. Disorders in Valencia, 184. Remonstrances sent to Charles from Castile, 185. Charles carries his point against the nobles, 186. He appoints viceroys and departs for Germany, 186. Insurrection in Toledo, 186. Insurrections during the absence of Charles, 229. Measures adopted by Adrian to suppress them, 230. The political condition of, at the time of the election of Charles V., 231, 232. Formation of the patriotic "holy junta," 232. Padilla, leader of the insurgents, pretends to act in the name of the neglected Queen Joanna, 233. They deprive Adrian of authority, 233. The formal remonstrance of the junta, addressed to Charles, 234, 235. Parallel between this revolution and that against the Stuarts, 235. Defeat of the junta, 239–241. The divisions prevent the success of the revolutionists, 243, 244. Supreme power of Charles, and afterwards of Philip, in, 576.

Special providences, belief in, 25.

Spires, diet summoned at, 308.

Stephen, earl of Chartres and Blois, his account of the Crusaders, 104.

Stirling, Mr., an account of his researches into the records of the cloister life of Charles V., 589.

Strasburg, compelled to approve the *Interim*, 463. Assumes a posture of defence towards Henry II., 492.

Strozzi, Peter, appointed to command the French army in Siena against the forces of Cosmo de' Medici, 521. Defeated by Medecino, 521, 522.

Suabia, the house of, 65. Insurrection in, 276.

Suffolk, the duke of, invades Picardy, 250.

Sugar-cane brought from Asia, 132.

Surrey, Admiral, commander of the English forces against France, 227. Retires from Picardy without advantage, 228.

Swabia. See *Suabia*.

Sweden, the king of, makes an alliance with Francis against the emperor, 381. State of, 586.

Swiss troops, employed by Louis XI., 47. Arms and discipline of the, 53, 54.

Switzerland, the cantons favour the election of Charles as emperor, 180. Opposition to the sale of indulgences in, 200, 201. Refuses aid to the Smalkaldic league against the emperor, 416, 417.

Sybilla, wife of the elector of Saxony, defends Wittemberg, 444. Intercedes for her husband's life, 446.

Syria, added to the Ottoman empire, 178.

T.

Tacitus, his account of the Germans, 93.

Taxation, not in vogue among barbarous nations, 141.

Tenures, Feudal. See *Feudal System; Land.*

Termes, Maréchal de, takes Dunkirk, 563.

Terouenne, taken and demolished by Charles V., 509.

Tetzel, agent for the sale of indulgences in Saxony, 193. Publishes counter-theses against Luther, 196.

Teutonic Knights, their history and power, 279. They lose Prussia, 280.

Theatines, the order of, 533.

Theology, the scholastic, 36.

Thuringia, the rebellion headed by Thomas Muncer in, 278, 279.

Titian, his portraits of Charles V., 613. His

Last Judgment removed from Yuste to the Escorial, 658.
Toledo, insurrection in, upon the departure of Charles V. for Germany, 186. The cathedral stripped by the wife of Padilla, to supply the forces of the junta, 238. Letter from Padilla to, 240, *note*. Defended against the army of the nobles by Donna Maria, widow of Padilla, 241, 242. Surrender of the town, and flight of Donna Maria, 242.
Toleration, progress of, in religious affairs, 529–532.
Tomorri, Paul, general of the Hungarian forces against Solyman, 291.
Tordesillas, member of the Cortes for Segovia, his fate, 229, 230.
Torrelobaton taken by Padilla, 239.
Torriano, the mechanician, and companion of Charles V., 618, 619. See *Turriano*.
Towns, the liberties and privileges of, increased, 18.
Tramouille, La, drives the English out of Picardy, 250.
Transylvania, surrendered to Ferdinand, 482.
Travellers, perils of, in the Middle Ages, 37, 38. Entertainment of, in the Middle Ages, 130.
Trent, a general council called at, 388. The Protestants object, 388. No legates assemble, on account of the war, and the pope prorogues the council, 389. General council opened at, 404. Conduct of the emperor respecting the council, 404. Decision of the council of, upon the disputed doctrines, 410, 411. The council assembles at, 476. Henry of France protests against its legality, 476. The emperor endeavours to sustain its authority, 476. The Protestant divines demand a safe-conduct from the council, no less than from the emperor, 480. The council prorogued on account of the war, 491. Reason of the failure of councils, 491, 492. Accounts of this council, 492.
Trent, Cardinal of, sent by Charles V. to the pope, 413.
Trivulci, general of the French forces in Genoa, 301.
Tunis, its conquest by Barbarossa, 327, 328. The emperor and other Christian powers unite to restore Muley-Hascen, 329. Barbarossa defeated, 330, 331. Conditions imposed upon Muley-Hascen, 331.
Turkey, origin and character of its government, 86, 87. Its nobility not hereditary, 87. The restraints upon its sultans, 87. Origin of the janizaries, 87. Growth and power of the empire, 88, 89. Note upon its government, 149, 150. The janizaries, 150, 151. Its condition, power, etc., under Solyman, 151.
Turkish power, jealousy in Europe of the, 178.
Turks, cruelty of, 13.
Turriano, the artist, companion of Charles at St. Justus, 567. See *Torriano*.
Tuscany, view of the state of, during the sixteenth century, 585.

U.

Ulm, insurrection at, 276. A city in the Smalkaldic league, submits to the emperor, 427, 428. The emperor violently subverts its free government, 462.
Ulric, duke of Wurtemberg, expelled from his dominions, 324. Regains them by force, 324.
Universities, establishment of, 129, 130.

V.

Valasco, Don Iñigo, high constable of Castile, appointed associate regent with Adrian, 233. Effects a junction with Conde de Haro, 239.
Valencia, note concerning the government of, 137. Disorders in, 184, 185. The nobles refuse to acknowledge Adrian as the king's representative, 185. Charles aids the people against the nobles, 185. Don Diego de Mendoza, Conde de Melito, made viceroy, 186. Insurrection in, 242. The association of the "Germanada," 242. The royalists victorious, 243.
Valentinois, duchess of, her influence in bringing about peace with Philip, 565, 566.
Valladolid, popular disturbances in, 231.
Vandals, irruption of the, 4. And Goths, conquest of Spain by the, 67.
Van Male, the chamberlain of Charles V., 614, 615. His testimony as to the emperor's autobiography, 636, 637.
Van Rossem, commander of a French army in Brabant, 381.
Vendôme, duke of, general of a French army in Flanders, 381.
Venice, 14, 16. League of Cambray against, 55, 56. Its position and prosperity, 55. A republic, 58. Policy of the government of, as to military affairs, 62. Naval and commercial power of, 63. The citizens favour the election of Francis as emperor, 180. The interest and policy of, as between Charles and Francis, 188. Unites with the emperor, 245. The government joins the league against Charles, 281. Complains of the inactivity of Francis, 283. Seizes Ravenna, upon hearing of the capture of the pope, 294. Its objects in entering the league against the emperor, 299. The government refuses the application of the league of Smalkalde, 416. Francis proposes a league against the emperor to the people of, 438. Solicited by Paul to take arms against the emperor, 455. Decline of its power and commerce, 584.
Verrina, joins with Fiesco in a conspiracy to overthrow the government of the Dorias at Genoa, 431. Upon its failure, flies to France, and is protected by Francis, 439.
Vielleville, a French officer, discovers the plot against Metz, 525.
Vienna, besieged by Solyman, 307.
Villalar, defeat of the insurgents under Padilla at, 239–241.

Villalva, consoles the dying hours of the emperor, 653. Delivers a sermon at the funeral, 654, 655. Officiates at the Escorial when the emperor's remains are removed thither, 659.
Villani, their legal condition, 100, 101.
Villena, marquis de, his detestation of Bourbon the traitor, 272.
Visconti, family of the, 66.
Voltaire, note upon the attainments and works of, 151.

W.

Wallop, Sir John, leads the English forces to aid the emperor, 386.
War, cost of, under the modern system, 54, 55. The only profession of gentlemen in the Middle Ages, 128.
War, private, to redress injuries, 22. The origin of the practice, 114. What relatives were involved in, 115. Expedients to restrain, 116–117. The "brotherhood of God," 116. Order of Philip the Fair concerning, 117. In England, 117, 118. In Castile and Aragon, 118. In Germany, 118, 119.
Wartburg, Luther concealed at, 215.
Wentworth, governor of Calais, 560.
Wittemberg, invested by Charles V., 444.
Wittikindus, Abbot, his testimony in favour of judicial combat, 121.
Wolsey, Cardinal, his rise, character, and influence, 189, 190. Is gained by Francis of France, 190. Charles, by holding out hopes of the papacy, detaches him from his rival, 191. Secretly in favour of the emperor, 216. Appointed by Henry VIII. in the mediation between Charles and Francis, 220. Makes a treaty for Henry with Charles, 221. His disappointment at not being made pope, 249. His plans for revenge, 249. Advises Henry to take ground against the emperor, after the victory at Pavia, 265. Persuades Henry to join the league against the emperor, 294.
Worms, diet called at, to check the Reformation, 192. Slow proceedings of the diet of, 213.
Wurtemberg, the duke of, expelled from his dominions, 324. Regains them, 324. Aids in the league of Protestant princes against Charles, 418. Sues for the emperor's pardon on his knees, 428.
Wyat, Sir Thomas, heads an insurrection on account of the approaching marriage of Philip and Mary, 516, 518.

X.

Ximenes, archbishop of Toledo, remains faithful to Ferdinand, 159. Magnanimously supports Ferdinand for the regency of Castile, 162. Acquires territory in Barbary for the crown, 163. Appointed regent of Castile until the arrival of Charles V., 166. His character and career, 166, 167. Yields respect, etc., to Adrian, but retains the power himself, 167. Removes Prince Ferdinand to Madrid, and watches his movements, 167, 168. Induces the Castilians to receive Charles V. as king, 168. Endeavours to curtail the power of the Castilian nobles, 168. Procures for the king a military force, 169. Enlarges the revenue of the crown by wresting the royal possessions from the hands of the nobles, 170. His bold answer to the deputation of the nobles, 170. His contests with the king's Flemish ministers, 171. His mastery over the new associates in the regency, 171. Frustrates the attempt of John d'Albret to regain Navarre, 171. Bears the defeat of the Spanish army by Barbarossa with equanimity, 172. Entreats Charles to visit Spain, 174. His industry and self-denial, 174. Writes to Charles advising him to dismiss his Flemish followers, and desiring an interview, 174. His indignation at the king's cool treatment, 174, 175. His death, 175. His reputation for wisdom and sanctity, 175.

Y.

Yuste, account of the situation, wealth, etc., of the monastery at, 591, 592. The emperor leaves legacies to the convent, 655, 656. The care and repair of, 659. Its destruction in the Peninsular War, 659. Its neglected condition, 659, 660.

Z.

Zamora, the bishop of, raises a regiment of priests to defend Tordesillas, 237.
Zuinglius opposes the sale of indulgences, 201.
Zuñiga, Don Luis de Avila y, visits the emperor, 603.

Date Due

APR 22 '70			
MAY 6 '70			
MAR 4 1986			
APR · 1 1986			

CENTRAL BAPTIST THEOLOGICAL SEMINARY
0 0021 0006496 9

943.031
R652

Robertson, William
AUTHOR

The history of the reign of the
TITLE Emperor Charles the Fifth.

N14764
Date Due | Borrower's Name
Presley

943.031
R652 Robertson, William
The history of the reign
of the Emperor Charles the
Fifth.

N14764